This is a digital copy of a book that was preserved for generations on library shelves before it was carefully scanned by Google as part of a project to make the world's books discoverable online.

It has survived long enough for the copyright to expire and the book to enter the public domain. A public domain book is one that was never subject to copyright or whose legal copyright term has expired. Whether a book is in the public domain may vary country to country. Public domain books are our gateways to the past, representing a wealth of history, culture and knowledge that's often difficult to discover.

Marks, notations and other marginalia present in the original volume will appear in this file - a reminder of this book's long journey from the publisher to a library and finally to you.

Usage guidelines

Google is proud to partner with libraries to digitize public domain materials and make them widely accessible. Public domain books belong to the public and we are merely their custodians. Nevertheless, this work is expensive, so in order to keep providing this resource, we have taken steps to prevent abuse by commercial parties, including placing technical restrictions on automated querying.

We also ask that you:

+ *Make non-commercial use of the files* We designed Google Book Search for use by individuals, and we request that you use these files for personal, non-commercial purposes.

+ *Refrain from automated querying* Do not send automated queries of any sort to Google's system: If you are conducting research on machine translation, optical character recognition or other areas where access to a large amount of text is helpful, please contact us. We encourage the use of public domain materials for these purposes and may be able to help.

+ *Maintain attribution* The Google "watermark" you see on each file is essential for informing people about this project and helping them find additional materials through Google Book Search. Please do not remove it.

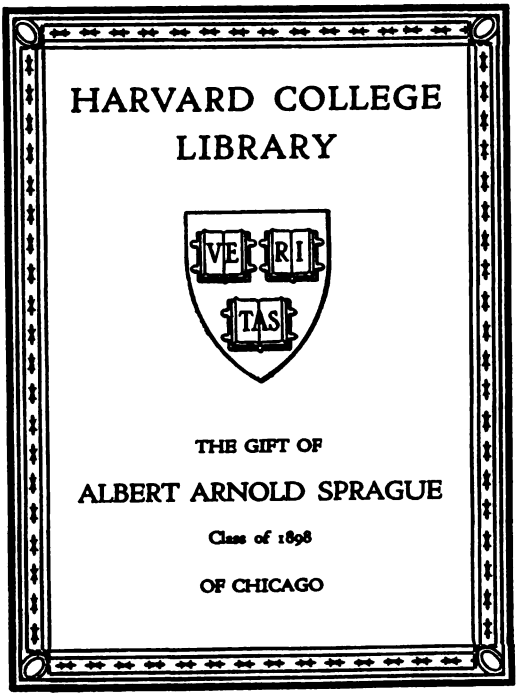
+ *Keep it legal* Whatever your use, remember that you are responsible for ensuring that what you are doing is legal. Do not assume that just because we believe a book is in the public domain for users in the United States, that the work is also in the public domain for users in other countries. Whether a book is still in copyright varies from country to country, and we can't offer guidance on whether any specific use of any specific book is allowed. Please do not assume that a book's appearance in Google Book Search means it can be used in any manner anywhere in the world. Copyright infringement liability can be quite severe.

About Google Book Search

Google's mission is to organize the world's information and to make it universally accessible and useful. Google Book Search helps readers discover the world's books while helping authors and publishers reach new audiences. You can search through the full text of this book on the web at `http://books.google.com/`

Digitized by Google

US 4670.61A



Digitized by Google

Digitized by Google

Digitized by Google

Digitized by Google

Digitized by Google

THE WRITINGS

OF

THOMAS JEFFERSON

VOLUME VII

1795–1801

Digitized by Google

Of this Letter-press Edition

750 Copies have been Printed for Sale

No. 8

G. P. Putnam's Sons

February, 1896

Digitized by Google

THE WRITINGS

OF

THOMAS JEFFERSON

COLLECTED AND EDITED

BY

PAUL LEICESTER FORD

VOLUME VII

1795–1801

G. P. PUTNAM'S SONS

NEW YORK
27 WEST TWENTY-THIRD STREET

LONDON
24 BEDFORD STREET, STRAND

The Knickerbocker Press
1896

614

Digitized by Google

US 4670.61
. C A

Albert A Sprague

DEZ-1 94

The Knickerbocker Press
G. P. PUTNAM'S SONS
NEW YORK

Digitized by Google

CONTENTS OF VOLUME VII.

PAGE

Itinerary and Chronology, 1795–1801 . . . xxiii

1795.

To James Madison, February 5th 1
Weather—Walker's election—Wilson Nicholas's election and speculation—Tax on carriages.

To M. D'Ivernois, February 6th 2
Proposition to remove University of Geneva to Virginia—Republics—Present governments.

To James Brown, April 18th 6
Debt—Naillery—Tobacco.

To Archibald Stuart, April 18th 7
Duplicate books—Avoids meeting Patrick Henry.

To James Madison, April 27th 8
Madison for President—Jefferson as a candidate—Agricultural plans—Meeting with Henry.

To William Branch Giles, April 27th 11
French successes—Love of farming.

To Démeunier, April 29th 12
Knowledge and approval of French republicans—United States as an asylum—Lack of wealthy class in America—Nail-making—Work.

To James Monroe, May 26th 15
Hamilton an imitator of Pitt—Democratic societies—Western insurrection—Use of Washington's name—Jay's treaty—Private affairs—House for Monroe—Booksellers and books—Former French friends—Agricultural advice—Virginia social news.

To Tench Coxe, June 1st 22
Book of Coxe's—French successes—Extension of liberty—Destruction of crops.

Digitized by Google

PAGE

To James Madison, August 3d 23
Hamilton supports treaty—Stoned—Richmond against treaty.

To Mann Page, August 30th 23
Visit declined—Education—Men not rogues—Jay treaty.

To James Monroe, September 6th 25
Monroe's farm—Derieux—Commissions in France—T. M. Randolph's health—Political changes—Jay's treaty—Hamilton—Adams—News.

To Tench Coxe, September 10th 29
Richmond disapproves of treaty—Camillus—Newspapers—Letters.

To Henry Tazewell, September 13th 30
Jay treaty—Advisability of treaties at all.

To James Madison, September 21st 31
Volume on Jay treaty—Curtis—Camillus—Hamilton the Colossus of Federalism—Begs answer from Madison.

To Rev. James Madison, October 28th 33
Fontainebleau—Condition of French laborers—Ownership of lands—Rights of property—State policy toward property owners.

To James Madison, November 26th 36
Proceedings in Virginia Assembly on treaty—Marshall—Power of House of Representatives over treaties—Randolph's vindication.

To Edward Rutledge, November 30th 39
Visit from son—Tour of political duty—Jay treaty—Orange trees.

To William Branch Giles, December 31st . . . 41
Virginia Assembly's vote on treaty—Randolph's view on treaties and his political character—Political independence—Washington's answer to Representatives—Rejection of Rutledge—Recall of Monroe.

Notes on Professor Ebeling's Letter of July 30, '95 . 44
Character of authorities—Their knowledge of the South—Newspapers—Tories—Parties in United States—Newspapers—Books on America.

Digitized by Google

1796.

PAGE

To Archibald Stuart, January 3d 49
Nails.

To George Wythe, January 16th 52
Virginia laws—Jefferson's collection.

To John Adams, February 28th 56
D'Ivernois's book—Multiple executive—Former governments—Accounts as Minister.

To James Monroe, March 2d 58
Jay treaty—Randolph—Rutledge—New appointments—Public finances—Canals—Monroe's lands—Virginian news.

To James Madison, March 6th 61
United States finances—Gallatin—Pensions—Credit on nail rod—Spanish treaty—National post-roads.

To William B. Giles, March 19th 65
Speech of Lieb—Similarity of Tory measures—Impressments—Local news,

To James Monroe, March 21st 67
Monroe's lands—Jay treaty in House of Representatives—Treaty power.

To James Madison, March 27th. 68
Gallatin's speech—Treaty power—Washington.

To James Madison, April 17th 70
Proceedings in Federal convention—Relation of House of Representatives to treaties.

To Phillip Mazzei, April 24th 72
Money—Embarrassed Virginians—Aspect of politics—Apostates—Virginian social news.

Contract, May 12th 78
Mortgage of slaves.

To James Monroe, June 12th 79
Derieux—Building—Influence of Washington—Public finances—Prices—Lands.

To George Washington, June 19th 81
Publication of Cabinet paper—Madison—H. Lee's slanders—Opinion on *Little Sarah*—Farm news.

To Jonathan Williams, July 3d 85
Observations on mountains—Mould-board—Attacks on Franklin.

Digitized by Google

PAGE

To James Monroe, July 10th 88
Letters—Return of Monroe—Liancourt—Congressional campaign—Influence of Washington—News—Patrick Henry—Pinckney.

To Colonel John Stuart, November 10th . . . 90
Big bones.

To James Madison, December 17th 91
Presidency—Adams *vs.* Pinckney—Election—Condition of United States—Weather.

To Edward Rutledge, December 27th . . . 93
Abuse—Results of election—Dislike of politics—Rutledge's conduct.

To John Adams, December 28th 95
Results of election—Hamilton's trickiness—Adams's opportunity.

1797.

To James Madison, January 1st. 98
Election—Vice-presidency—Letter to Adams—Callender's book—Man as an animal.

To Archibald Stuart, January 4th 101
Course of Republican party towards Washington—Adams detached from Hamilton—Election.

To James Madison, January 8th 104
Prospects of war—Washington's good fortune—Crops—Weather.

To James Madison, January 16th 105
Vice-presidency—Vermont elections—People's choice.

To Henry Tazewell, January 16th 106
Election—Forms.

To James Madison, January 22d 107
Journey to Philadelphia—Adams and Jefferson—Part in new administration—Relations with France—Boundary dispute with Maryland—Relations with Pennsylvania.

To George Wythe, January 22d. 110
Parliamentary practice.

Digitized by Google

PAGE

To John Langdon, January 22d 111
Vice-presidency.

To Doctor John Edwards, January 22d . . . 112
Defence of Monroe—Conduct toward Great Britain.

To Doctor Benjamin Rush, January 22d . . . 113
Eulogium on Rittenhouse—Escape from Presidency—Big bones.

To James Madison, January 30th 115
Letter to Adams—Opinion of Adams—Oath of office.

To James Sullivan, February 9th 116
Vice-presidency—Political divisions—Influence of Washington—Samuel Adams.

To Elbridge Gerry, May 13th 119
Election to Vice-presidency—Relations with Adams—Foreign relations—Policy of Federalists—American isolation.

To James Madison, May 18th 124
Pinckney's despatches—President's speech—Removal of Beckley—Political change in New England—Conduct of France—Reply of Senate.

To Thomas Pinckney, May 29th 127
Change in politics—Threatening condition—Louisiana—Commercial wars—Recall of Monroe.

To Horatio Gates, May 30th 130
Erskine's pamphlet—Servile copying of England—Congressional replies to President.

To James Madison, June 1st 131
Senate reply to President—Navy—Congressional and diplomatic news.

To Peregrine Fitzhugh, June 4th 134
Address to President—Newspapers—Republican majority—Taxation—Attack of Luther Martin—Grand juries.

To French Strother, June 8th 138
Prospects of war—Navy—Acts of France.

To James Madison, June 8th 140
Address—Navy and army—Arming of merchantmen—French victories—Republican majority—West India trade.

To John Moody, June 13th 141
Proceedings of Congress—Depredations of French.

Digitized by Google

PAGE

To James Madison, June 15th 142
European affairs—Army—Calling of Congress—Newspapers —Navy and fortification.

To Aaron Burr, June 17th 145
Outline of politics—Adams's speech—Danger from France—Change in New York politics—Eastern States—Wearied.

To Elbridge Gerry, June 21st 149
Nomination of Gerry as Minister—Peace with France—Acceptance of mission.

To James Madison, June 22d 151
Defeat of army bill—Useless convocation of Congress—Mission to France.

To Edward Rutledge, June 24th 152
French spoliations—War preparations—European news—Arming—Political ill-feeling.

To Edmund Randolph, June 27th 155
Foreign news—Gerry's appointment.

To James Madison, June 29th 156
Adjournment—Congressional proceedings—Monroe's arrival.

To James Madison, July 24th 157
Visit from Madison—Hamilton *vs.* Callender.

Petition to Virginia House of Delegates, August . 158

To James Madison, August 3d 164
Letter to Mazzei—Petition in *re* grand juries.

To St. George Tucker, August 28th 167
Slavery—St. Domingo—Taxation.

To Colonel Arthur Campbell, September 1st . . 169
Federalist policy—Lenity to Tories—The people republican.

To John Francis Mercer, September 5th . . . 171
Monroe—Grand juries.

To James Monroe, September 7th 171
Grand juries—Right of citizen—State *vs.* national government —Cabell's case.

To Alexander White, September 10th 174
Slanders about Jefferson—Removal of government to Washington—New roads.

Digitized by Google

PAGE

To James Monroe, October 25th 177
Monroe's book.

To John Wayles Eppes, December 21st . . . 179
English victory over Dutch—Taxes—Paris Envoys—French Admiralty proceedings—Monroe's book—Charcoal.

To John Taylor, December 23d 181
Taxes—Navy and armed merchantmen—Blount's impeachment—French news—Fauchet's pamphlet—Foreign coins.

To James Monroe, December 27th 182
Monroe's book—Fauchet's pamphlet—Arming of merchantmen—Stamp tax—French view—Foreign coins—Lafayette—Elections—Removal of Tench Coxe.

1798.

To John Page, January 1st 185
Martin's attack—Logan's speech—Letter from Talleyrand.

To Mann Page, January 2d 186
Martin's attack—Foreign coins.

To James Madison, January 3d 188
Weather—Bankruptcies—Prices—Congressional proceedings—Election—Impeachment of Blount—Scipio—Foreign news.

To James Madison, January 25th 191
Envoys to France—Majority in Congress—Impeachment of Blount—Spanish negotiations—Amendments to Constitution—Prices.

To Henry Tazewell, January 27th 194
Impeachment.

To James Madison, February 8th 195
Monroe's book—Scipio—Impeachment of Blount—Arming of merchantmen.

To James Monroe, February 8th 197
Virginia Assembly—Monroe's book—Scipio—Legal practice—Blount's impeachment.

To Hugh Williamson, February 11th 200
Navigation act.

To James Madison, February 15th 201
Question of arming—Dayton—Lyons—Impeachment—Ball on Washington's birthday—Commerce.

Digitized by Google

PAGE

To Horatio Gates, February 21st 203
Kosciusko—Lack of news from France—Duel between France and England—Commercial measures of Great Britain.

To James Madison, February 22d 206
Commercial news—Exclusion of America from ocean—Impeachment—Adams's views of Senate.

To Peregrine Fitzhugh, February 23d 208
Attacks on Jefferson in papers—Lack of French news—State governments.

To James Madison, March 2d 211
Foreign news—Washington's birthday—Stamp act.

To James Monroe, March 8th 213
Word from envoys to France—French decree—Foreign intercourse—Elections—Monroe's plans.

To James Madison, March 15th 216
French commercial decree—Cabinet changes—Nomination of J. Q. Adams.

To James Madison, March 21st 218
Merchants—X. Y. Z. message—Congressional changes—Proposed consultation of constituents—Monarchy or separation of Union.

To James Monroe, March 21st 221
Insane message—Course of action for Republicans.

To Dr. Samuel Brown, March 25th 222
Martin's attack—General Clark.

To James Madison, March 29th 224
Action in Congress—War or peace—Rumor of English treaty—Navy—Quakers partisans of England—New capital.

To Edmund Pendleton, April 2d 227
Private accounts with Short—Effect of war on government securities—Likelihood of war with France—Change in Eastern States—Prospect of Republican success.

To James Madison, April 5th 230
Secrecy of letters—Appropriation for capital—Pinckney adherents—Marcellus—Publication of X. Y. Z. papers.

To James Monroe, April 5th 232
Advice as to personal course—Attacks on Monroe—Failure of Morris—Libel against Jefferson—Probable action as to France.

Digitized by Google

PAGE

To James Madison, April 6th 234
Communications from envoys—Analysis of them—No cause for war.

To James Madison, April 12th 236
Communications from envoys—Public astonishment—Asks Madison to write analysis—Meeting of merchants—Spriggs resolution—War measures—Taxes—Adjournment.

To Peter Carr, April 12th 238
X. Y. Z. negotiation—Innocence of French Directory—Spriggs resolution—Policy of peace party—No reason for war—Eastern States.

To James Monroe, April 19th 240
Influence of X. Y. Z. despatches—War petitions—Expenses—Mississippi territory—Monroe's accounts.

To James Madison, April 19th 242
Revolt of public opinion—War measures—Land tax—Innes—Congressional power—Madison's election to Virginia legislature.

To James Madison, April 26th 244
Naval bill—Absence of Virginia congressmen—Alien and sedition bills—Newspapers—Senatorial manœuvre in New York—Revolt of public opinion.

To James Madison, May 3d 246
War spirit—Replies of President—Citizen and alien bills—Provisional army—Departure of French—New York politics—Writings of Hamilton—Mississippi territory—Adams on sedition bill.

To James Lewis, Jr., May 9th 249
Logan's speech—Martin's attack—War fever.

To James Madison, May 10th 251
Alien bill—Taxes—Burr's information—Cocade riot.

To James Madison, May 17th 252
Vote on alien bill—Provisional army—Cocade riot—Eastern politics—Public deception—Public addresses—Congress—French captures—Prices.

To Aaron Burr, May 20th 254
Currie's claims on Morris—Burwell's ditto.

Digitized by Google

PAGE

To James Monroe, May 21st 256
Provisional army bill—Alien bill—Land tax—Sedition bill—Departure of French—Attack on Monroe—Election as a vindication.

To James Madison, May 31st 260
Correction — Capture of French vessels — Alien bill — Treaties—Land tax—Adjournment—Departure of French—Marshall's poem—Dupont.

To John Taylor, June 1st 263
Secession of Virginia and North Carolina—Present condition —Influences tending to produce change—Secession as a theory —New England perverse.

To James Madison, June 7th 266
Alien bill—Sedition bill—Other bills—Taxes—American envoys to France—Resolutions against France.

To Archibald Stuart, June 8th 269
Movements of envoys to France—Gerry—French conduct —Nails.

To James Madison, June 21st 272
Arrival of Marshall—Gerry—Marshall's reception—Logan—Harper's folly—Libels—Adjournment—Message.

To Samuel Smith, August 22d 275
Newspaper squib—Consultation with Bache, Leib, and Reynolds—Not a partisan of France—Newspaper writing.

To A. H. Rowan, September 26th 280
System of alarm—Influence of England—Virginia not deluded.

To Wilson Cary Nicholas, October 5th . . . 281
Trust in Breckenridge—Kentucky resolutions—Politics of North Carolina—Consultation of Madison.

To Stephen Thompson Mason, October 11th . . 282
Callender—X. Y. Z. fever abating—Action of state legislatures—Federalist projects—Tenants.

Petition on Election of Jurors, October . . . 284

To James Madison, October 26th 287
Petition in *re* jurors—Kentucky resolutions.

To James Madison, November 17th 288
Mechanics—Kentucky resolutions—Nails.

Drafts of the Kentucky Resolutions of 1798, November, 289

Digitized by Google

PAGE

To John Taylor, November 26th 309
Farming—Risk of letter writing—Unsoundness of Virginia—Taxes a cure—Excessive expense the policy of the Federalists—Amendment to prevent borrowing—Alien and sedition laws—Petition in *re* juries.

To Wilson Cary Nicholas, November 29th . . 312
Change in Resolutions.

1799.

To James Madison, January 3d 313
President's speech—Republican spirit gaining ground—Conciliatory attitude of France—Navy—Insurance—Elections—Bankruptcy of Knox—Petition in *re* Lyon.

To James Monroe, January 3d 315
Lands—Knox's bankruptcy—Logan—Lyon.

To James Madison, January 16th 316
Harper's forgery—Logan—Gerry's letters—Sincerity of France—Expenses—Taxes—Treaty commissioners—Bonaparte's movements—Tobacco—Federal Convention debates.

To James Monroe, January 23d 319
Expenses and income—Gerry's correspondence—X. Y. Z. delusion disappearing—St. Domingo bill—Elections.

To John Taylor, January 24th 322
Death of Tazewell—Succession by Monroe.

To John Page, January 24th 323
Gerry's correspondence—Irritating measures towards France—Loans—Income and expenses—Infidelities of post-office.

To Elbridge Gerry, January 26th 325
Friendship—Logan's mission—Jefferson's relation thereto—Loyalty to Constitution—Relations with Europe—Well-wisher of French revolution—Facts as to Gerry—X. Y. Z. fever—Abuse—Federalist dislike of Gerry.

To Edmund Pendleton, January 29th . . . 336
Address of Pendleton—X. Y. Z. and Gerry—Urges Pendleton to write a recapitulation—Federalist measures restoring reason—"Logan" bill.

To James Madison, January 30th 339
Congressional measures—Political changes in states—Petitions against alien and sedition bills—Bonaparte—Tobacco.

Digitized by Google

PAGE

To James Madison, February 5th 342
Army bill—Non-intercourse bill—St. Domingo clause—Livermore—Political changes—Squib in Bache's paper—Engine of the press.

To James Monroe, February 11th 345
Congressional bills—Loans—New diplomatic appointments—*The Retaliation*.

To Aaron Burr, February 11th 347
Private business—Navy and army bills—St. Domingo and American slavery—System of alarm flags—German counties of Pennsylvania.

To James Madison, February 12th 349
Bills—French arrêt—Appointments—Coalition with Russia and Turkey.

To Archibald Stuart, February 13th 350
Congressional measures—Excessive taxation—Gerry's information as to France—*The Retaliation*—Diplomatic appointments—British depredations—Petitions against alien and sedition bills—Danger of extreme measures—Nails.

To Edmund Pendleton, February 14th 355
Former request—Political changes—Danger of force—Gallatin's speech—Article by Nicholas—*The Retaliation*—Diplomatic appointments—Conduct of France—Reception of ministers—Army bill—Treaty commission.

To James Madison, February 19th 361
Army bill—*The Retaliation*—Negotiation with Murray.

To Edmund Pendleton, February 19th 363
The Retaliation—Murray's nomination—Consul to St. Domingo—French conduct.

To James Monroe, February 19th 365
Murray's nomination—Surprise of Federalists.

To Robert R. Livingston, February 23d 367
Steam engine—Pump—Politics—Tories.

To James Madison, February 26th 369
Murray's nomination—Superseded by new envoys—Report on alien and sedition bills—Ill-treatment of opponents.

To Bishop James Madison, February 27th . . . 372
Nomination of envoys to France—Petitions.

Digitized by Google

PAGE

To Thomas Lomax, March 12th 373
Spirit of 1776—War party—Political changes—French misconduct.

To Edmund Pendleton, April 22d 375
Newspaper article—Political changes—Hamilton the real general—Massachusetts—Commerce.

To Archibald Stuart, May 14th 376
Money affairs—Nails—McDowell—Congressional election—Henry's apostacy.

To Tench Coxe, May 21st 378
New paper—Congressional elections—Fear of Henry.

To Harry Innes, June 20th 381
Logan—Notes on Virginia—Volney.

To Edmund Randolph, August 18th 383
Common law in Federal courts—Encroachments of national government—Continuance of laws—Virginia's example.

To James Madison, August 23d 387
Nails—Plasterer—United action of Virginia and Kentucky.

To Wilson C. Nicholas, August 26th . . . 389
United action of Virginia and Kentucky.

To Wilson C. Nicholas, September 5th . . . 389
Proposed answer in *re* Kentucky resolutions—Common law in Federal courts.

To James Thomson Callender, September 6th . . 392
Money—Richmond Association.

To James Thomson Callender, October 6th . . 393
Barbary negotiations—Method of choosing electoral college—Writings of Callender.

To Stephen Thompson Mason, October 27th . . 396
Farming—Election of McKean—Republicanism growing.

To Charles Pinckney, October 29th 397
Robbins' case—Pennsylvania election—Common law in Federal courts—French misfortunes—Route of travel.

To James Madison, November 22d 399
Danger of consultation—Distrust of post-office—Jury system.

Digitized by Google

1800.

PAGE

To James Monroe, January 12th 401
Presidential election—Conversation with Burr—Politics —Personal wishes.

To Mary Jefferson Eppes, January 17th . . . 403
Journey—Senate—Adjournment—J. Randolph insulted—Dupont—Lafayette—Return to Monticello—Anxiety of parent.

To Joseph Priestley, January 18th 406
Pamphlets — Persecution — Newspapers — Residence — Proposed college—Courses—Dupont—Visit.

To Harry Innes, January 23d 410
Logan's murder—Western judicial district—Mississippi territory—European rumors—New French revolution—Plural executive.

To Martha Jefferson Randolph, January 21st . . 410
Birth of grandchild—Children.

To Joseph Priestley, January 27th 413
Courses of study — Languages — School bill — Temporary American delirium.

To John Breckenridge, January 29th 416
Kentucky resolutions—Western judicial district—Viva-voce testimony—Juries—French revolution—Bonaparte.

To Bishop James Madison, January 31st . . . 419
Illuminatism—Barruel—Wishaupt—Freemasons—Morse—Godwin—New French revolution.

To Thomas Mann Randolph, February 2d . . 421
French revolution—Bonaparte—Federalist plans—Hamilton —Taxes—Robbins' case—Disunion of States—Bankruptcies.

To James Monroe, February 6th 424
Madison's report.

To Samuel Adams, February 26th 425
Revolutionary principles—National debt—French republicans—Bonaparte.

To George Wythe, February 28th 426
Parliamentary rules—Congressional proceedings—Proposed manual.

Digitized by Google

PAGE

To James Madison, March 4th 429
Constitutional amendments — Loans — Bankruptcies — Robbins' case—Envoys to France—Tobacco—Misuse of commercial powers—Presidency—Election.

To Benjamin Hawkins, March 14th 435
Change of condition from 1775—Indian languages—Mrs. Trist—Social news.

To James Madison, March 25th 437
Nicholas' amendment to Constitution — Judiciary law—Growth of republicanism.

To P. N. Nicholas, April 7th 439
Cooper's pamphlet—Declaratory act—Political changes.

To William Hamilton of Woodlands, April 22d . 440
Apparent neglect—Social discord—Political antipathies—Botany.

To Edward Livingston, April 30th 443
Election—Madness of Federalists—Judiciary bill—Presidential election—Marshall's manœuvre—Bill incorporating copper mine.

To Robert R. Livingston, April 30th . . . 444
Agricultural transactions—Mould-board—Vegetable paper—Constitutional construction.

To James Madison, May 12th 446
Congressional proceedings—Federalist majority—Senate regardless of public opinion.

To James Monroe, May 26th 447
Anti-unionists—Athiesm—Calumnies — Chase — Callender—Movements.

To Pierce Butler, August 11th 449
Political changes—Scheme to elect Pinckney—Burr.

To Gideon Granger, August 13th 450
Republican majority—New England—Common law—True theory of government—Credulity of people—Letter of M'Gregory.

To Jeremiah Moor, August 14th 453
Principles—Scheme of State constitution—Suffrage—Limit of election—Exclusion of clergy—Political changes.

To James Madison, September 17th 456
No news of envoys—Truxton—Prospects of election.

Digitized by Google

PAGE

To James Monroe, September 20th 457
Lands—Negro insurrection.

To Doctor Benjamin Rush, September 23d . . 458
Yellow-fever—Recognition of merit—Possible aristocracy—Christianity—Religious freedom—Forgeries—Insurrection of slaves.

To James Monroe, November 8th 461
President's speech—Lands—Negro insurrection.

To Robert R. Livingston, December 14th . . 462
Steam engine—"Big-bones"—Success of Republicans—Offer of Secretaryship of Navy—Expense of office.

To Aaron Burr, December 15th 466
Election news—Hope of Federalists—Regret over Burr not being available for Cabinet position.

To John Breckenridge, December 18th . . . 468
Letter-writing—Federalist schemes—French convention.

To James Madison, December 19th 470
Election news—Asks Madison to join him—French convention—Federalist plans.

To Cæsar Rodney, December 21st 472
Election—French treaty—Judiciary bill—Public roads—Province of national government.

To James Madison, December 26th 473
Election—Federalist schemes—French convention—Territorial government—Lyons fine.

To Tench Coxe, December 31st 474
Writings of Coxe—Equality of votes—Election plans.

Services of Jefferson 475

1801.

To Mary Jefferson Eppes, January 4th . . . 477
Letters—Visit to Mount Vernon—Election—Burr—Future movements.

To Dr. Hugh Williamson, January 10th . . . 479
Temperature—Origin of turkey—Strickland arms.

To William Dunbar, January 12th 481
Temperature—Cold—Rainbows—Indian vocabularies.

Digitized by Google

PAGE

To Colonel John Hoomes, January 24th . . . 483
Sedition law—French convention.

To James Madison, February 1st 484
Refusal of Livingston—Samuel Smith—Election—Madison's health.

To Aaron Burr, February 1st 485
Sowing tares—Letter to Breckenridge—Slander.

To Thomas M'Kean, February 2d 486
Election—Free elections—Patronage and removals.

To Tench Coxe, February 11th 487
American Museum—Election—Federal desertion of offices—Defects of Constitution.

To Dr. Benjamin Smith Barton, February 14th . . 489
Appointments—Removal from offices—Election—Constitutional convention.

To James Monroe, February 15th 490
Election—Federalist schemes—Constitutional convention—Refusal to make pledges.

To Robert R. Livingston, February 16th . . . 492
Regrets at refusal—Election to Philosophical Society—Agricultural societies.

To James Madison, February 18th 494
Election—Obstinacy of Federalists—Federalist support—Adams' conduct—Nominations.

To Lieutenant Henry Dearborn, February 18th . 495
Offer of Secretary of War—Meeting of new Cabinet.

To Thomas Mann Randolph, February 19th . . 497
Election—Federalist phalanx.

To the Secretary of the Treasury, February 20th . 498
Thanks for offer of service.

To the Secretary of the Navy, February 21st . . 498
Thanks for offer of service.

To Robert R. Livingston, February 24th . . . 499
Offer of French Mission.

To Thomas Lomax, February 25th 500
Federalists yielding—Dangers of dissolution of Union.

Speech to the Senate, February 28th . . . 501

Digitized by Google

Digitized by Google

ITINERARY AND CHRONOLOGY

OF

THOMAS JEFFERSON

1795–1801.

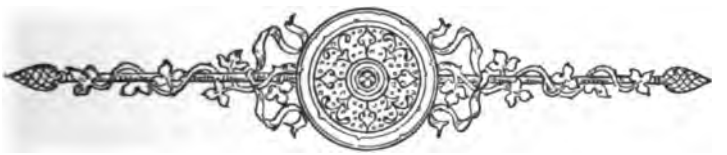
1795.		At Monticello.
		Establishes naillery.
	July 26?	Granddaughter Eleanor dies.
	Dec. ?	Writes "Notes" for Ebeling.
1796.	?	Invents mould-board for plow.
	Apr. 24.	Writes letter to Mazzei.
	May 12.	Executes mortgage to Van Staphorst & Hubbard.
		Begins remodelling house at Monticello.
	June	Visited by Rochefoucauld-Liancourt.
	Nov. 4.	Elected Vice-President.
1797.—Jan.		Elected President of Philosophical Society.
		Refuses to serve on Boundary Commission.
	1.	Mazzei Letter printed in Florence.
	25.	Mazzei Letter printed in Paris.
	Feb. 8.	Electoral Ballot counted by Congress.
	20.	Leaves Monticello.
	24.	At Georgetown.
	Mar. 2.	Arrives at Philadelphia.
	3.	Calls on Adams.
	4.	Sworn in as Vice-President.
		Offered French Mission.
	6.	Dines with Washington.
	12.	Leaves Philadelphia.
	20.	Arrives at Monticello.

Digitized by Google

1797.— May	5.	Leaves Monticello.
	11.	Arrives at Philadelphia.
	14.	Mazzei Letter printed in America.
June		Attacked by Luther Martin in newspapers.
July	6.	Leaves Philadelphia.
	11.	Arrives at Monticello.
Aug.		Drafts petition concerning grand-juries.
Oct.	13.	Maria Jefferson marries John Waylies Eppes.
Dec.	4.	Leaves Monticello.
	6.	Visits Madison at Montpelier.
	12.	Arrives at Philadelphia.
1798.—Feb.	15.	Dines with Adams.
	19.	X. Y. Z. Message.
Apr.	3.	X. Y. Z. dispatches transmitted to Congress.
June	27.	Leaves Philadelphia.
	28.	At Baltimore.
July	1.	At Fredericksburg.
	6.	Alien bill passed.
	9.	At Monticello.
	14.	Sedition bill passed.
Oct.		Writes Essay on study of Anglo-Saxon.
		Drafts Petition on juries.
		Drafts Kentucky Resolutions.
Nov.	14.	Kentucky legislature adopts resolutions.
		Revises Madison's Virginian Resolutions.
Dec.	18.	Leaves Monticello.
	25.	Arrives at Philadelphia.
1799.—Mar.	1.	Leaves Philadelphia.
	8.	Arrives at Monticello.
May	21.	At Montblanco.
	26.	At Eppington.
	29.	At Edgehill.
June	3.	At Monticello.
Sept.	6.	Orders payment to Callender of $50.
Dec.	22.	Leaves Monticello.
	28.	Arrives at Philadelphia.
1800.		Body servant, Jupiter, dies.
		Prints "Appendix" to *Notes on Virginia*.
Jan.	18.	Plans University of Virginia.
Feb.		Prepares Parliamentary Manual.
Mar.	11.	Has conversation with Adams.
May		Republican caucus nominates Jefferson and Burr.
	15.	Leaves Philadelphia.
	29.	Arrives at Monticello.

Digitized by Google

1800.—	June	Capital removed to Washington.
	Oct. 22.	Orders payment to Callender of $50.
	Nov. 24.	Leaves Monticello.
	29.	Arrives at Washington.
	Dec. 14.	Offers Secretaryship of Navy to Livingston.
1801.—	Jan. 22.	Pays visit to Mount Vernon.
	Feb. 11.	Congress begins to ballot for President.
	17.	Jefferson elected President.
	18.	Offers Secretaryship of War to Dearborn.
	24.	Offers French Mission to Livingston.
	28.	Farewell speech to Senate.



Digitized by Google

Digitized by Google

THE WRITINGS OF
THOMAS JEFFERSON.

CORRESPONDENCE AND MISCELLANEOUS WRITINGS.

1795–1801.

TO JAMES MADISON. J. MSS.

MONTICELLO, Feb. 5, 95.

DEAR SIR,—* * * We have had about 4. weeks of winter weather, rather hard for our climate—many little snows which did not lay 24. hours & one 9.I. deep which remained several days. We have had but few thawing days during the time.—It is generally feared here that your collegue F. Walker will be in great danger of losing his election. His competitor is indefatigable attending courts &c., and wherever he is, there is a general drunkenness observed, tho' we do not know that it proceeds from his purse.—Wilson Nicholas is attacked also in his election. The ground on which the attack is made is that he is a speculator. The explanations which this has produced, prove it a

Digitized by Google

serious crime in the eyes of the people. But as far as I hear he is only investing the profits of a first & only speculation.—Almost every carriage-owner has been taken in for a double tax: information through the newspapers not being actual, tho' legal, in a country where they are little read. This circumstance has made almost every man, so taken in, a personal enemy to the tax. I escaped the penalty only by sending an express over the country to search out the officer the day before the forfeiture would have been incurred.—We presume you will return to Orange after the close of the session & hope the pleasure of seeing mrs. Madison & yourself here. I have past my winter almost alone, mr & mrs Randolph being at Varina. Present my best respects to mrs Madison, & accept them affectionately yourself.

TO M. D'IVERNOIS. J. MSS.

MONTICELLO, IN VIRGINIA, Feb. 6, 1795.

DEAR SIR,—Your several favors on the affairs of Geneva found me here, in the month of December last. It is now more than a year that I have withdrawn myself from public affairs, which I never liked in my life, but was drawn into by emergencies which threatened our country with slavery, but ended in establishing it free. I have returned, with infinite appetite, to the enjoyment of my farm, my family & my books, and had determined to meddle in nothing beyond their limits. Your proposition, however, for transplanting the college of Geneva to my own coun-

Digitized by Google

try, was too analogous to all my attachments to science, & freedom, the first-born daughter of science, not to excite a lively interest in my mind, and the essays which were necessary to try it's practicability. This depended altogether on the opinions & dispositions of our State legislature, which was then in session. I immediately communicated your papers to a member of the legislature, whose abilities & zeal pointed him out as proper for it, urging him to sound as many of the leading members of the legislature as he could, & if he found their opinions favorable, to bring forward the proposition; but if he should find it desperate, not to hazard it; because I thought it best not to commit the honor either of our State or of your college, by an useless act of eclat. It was not till within these three days that I have had an interview with him, and an account of his proceedings. He communicated the papers to a great number of the members, and discussed them maturely, but privately, with them. They were generally well-disposed to the proposition, and some of them warmly; however, there was no difference of opinion in the conclusion, that it could not be effected. The reasons which they thought would with certainty prevail against it, were 1. that our youth, not familiarized but with their mother tongue, were not prepared to receive instructions in any other; 2d. that the expence of the institution would excite uneasiness in their constituents, & endanger it's permanence; & 3. that it's extent was disproportioned to the narrow state of the population with us. Whatever might

Digitized by Google

be urged on these several subjects, yet as the decision rested with others, there remained to us only to regret that circumstances were such, or were thought to be such, as to disappoint your & our wishes. I should have seen with peculiar satisfaction the establishment of such a mass of science in my country, and should probably have been tempted to approach myself to it, by procuring a residence in it's neighborhood, at those seasons of the year at least when the operations of agriculture are less active and interesting. I sincerely lament the circumstances which have suggested this emigration. I had hoped that Geneva was familiarized to such a degree of liberty, that they might without difficulty or danger fill up the measure to its maximum; a term, which, though in the insulated man, bounded only by his natural powers, must, in society, be so far restricted as to protect himself against the evil passions of his associates, & consequently, them against him. I suspect that the doctrine, that small States alone are fitted to be republics, will be exploded by experience, with some other brilliant fallacies accredited by Montesquieu & other political writers. Perhaps it will be found, that to obtain a just republic (and it is to secure our just rights that we resort to government at all) it must be so extensive as that local egoisms may never reach it's greater part; that on every particular question, a majority may be found in it's councils free from particular interests, and giving, therefore, an uniform prevalence to the principles of justice. The smaller the societies,

Digitized by Google

the more violent & more convulsive their schisms. We have chanced to live in an age which will probably be distinguished in history, for it's experiments in government on a larger scale than has yet taken place. But we shall not live to see the result. The grosser absurdities, such as hereditary magistracies, we shall see exploded in our day, long experience having already pronounced condemnation against them. But what is to be the substitute? This our children or grand children will answer. We may be satisfied with the certain knowledge that none can ever be tried, so stupid, so unrighteous, so oppressive, so destructive of every end for which honest men enter into government, as that which their forefathers had established, & their fathers alone venture to tumble headlong from the stations they have so long abused. It is unfortunate, that the efforts of mankind to recover the freedom of which they have been so long deprived, will be accompanied with violence, with errors, & even with crimes. But while we weep over the means, we must pray for the end.—But I have been insensibly led by the general complexion of the times, from the particular case of Geneva, to those to which it bears no similitude. Of that we hope good things. Its inhabitants must be too much enlightened, too well experienced in the blessings of freedom and undisturbed industry, to tolerate long a contrary state of things. I shall be happy to hear that their government perfects itself, and leaves room for the honest, the industrious & wise; in which case, your own talents, & those of the persons for whom

Digitized by Google

you have interested yourself, will, I am sure, find welcome & distinction. My good wishes will always attend you, as a consequence of the esteem & regard with which I am, Dear Sir, your most obedient & most humble servant.

TO JAMES BROWN.[1]

MONTICELLO Apl 18. 95.

DEAR SIR,—I received a few days ago your kind favor of Mar 14. The object of my letter had been not at all a retardation of the paiment I had promised you during the present & ensuing month, but as my crop of tob° was much short of what was usual, it was merely to see how far my next best article of produce, to wit, nails, could take its place with you. I have had 9 hammers at work for you for some time past. We have of nails on hand & credits to go to your benefit about £80. and some time in the next month shall have enough for the balance. If I cannot sell them for cash here, I will send them to Richmond to be converted into cash there so as to be in time for my engagement.

1382 In the margin are the weights of my tob° (only
1362 12 hhds) now in Richmond, averaging 1313
1138. lbs. I am offered here 4/ above the present
1196. market price. But you shall certainly have a
1360. preference on equal terms to any other
1426 purchaser. As I shall not go to Richmond
1240 myself, I must ask you by letter your highest
1294 price. You know I have an established

[1] From a copy courteously furnished by Col. C. C. Jones, of Augusta, Ga.

Digitized by Google

1386 privilege of being considerably above the
1348 market. I must tell you at the same time
1280 that the quality of the last year's crop is
1346 inferior, but still mine preserving its com-
——— parative superiority, stands on its usual
15.757. ground with respect to others. Let me have your ultimatum, if you please, by the post after next, say that which leaves Richmond the 3d of May, till which time I will reserve myself here.

TO ARCHIBALD STUART.[1]

MONTICELLO Apr. 18. 95

DEAR SIR—I did not receive your favor of the 7th till the 17th inst. consequently you had then passed on to New London. I could not learn that your brother was in the neighborhood. I inclose you a copy of an advertisement I had thought some time ago of putting in the public papers, but did not do it. You will see by that the books I have to dispose of. The last two or three lines of it are not for you, for you may take such of the books as you chuse, and what time of paiment you please. If you meet with any body who will take the whole of the residue I shall be glad of it. I have stated that at the price I offer the whole would be at about 6 Doll average a volume. But if they are separated, being of very unequal values, their respective prices can be proportioned to that sum total, by Worral's catalogue. Hargrave's Coke Littleton for instance cost as much as any 3 or 4

[1] From the original in the possession of the Virginia Historical Society.

Digitized by Google

of the other volumes—When I spoke of meeting you on your way to the Bedford court, I did not know that our own district court was exactly at the same time at which I was obliged to attend. This put it out of my power to be in Bedford this month.—With respect to the gentleman whom we expected to see there, satisfy him if you please that there is no remain of disagreeable sentiment towards him on my part.[1] I was once sincerely affectioned towards him and it accords with my philosophy to encourage the tranquillizing passions. Adieu.

TO JAMES MADISON. MAD. MSS.

MONTICELLO, Apr 27, 1795.

DEAR SIR,—Your letter of Mar 23. came to hand the 7th of April, and notwithstanding the urgent reasons for answering a part of it immediately, yet as it mentioned that you would leave Philadelphia within a few days, I feared that the answer might pass you on the road. A letter from Philadelphia by the last post having announced to me your leaving that place the day preceding it's date, I am in hopes this will find you in Orange. In mine, to which yours of Mar 23. was an answer, I expressed my hope of the only change of position I ever wished to see you make, and I expressed it with entire sincerity, because there is not another person in the U S. who being placed at the helm of our affairs, my mind would be so completely at rest for the fortune of our political bark.

[1] Patrick Henry.

Digitized by Google

The wish too was pure, & unmixed with anything respecting myself personally. For as to myself, the subject had been thoroughly weighed & decided on, & my retirement from office had been meant from all office high or low, without exception. I can say, too, with truth, that the subject had not been presented to my mind by any vanity of my own. I know myself & my fellow citizens too well to have ever thought of it. But the idea was forced upon me by continual insinuations in the public papers, while I was in office. As all these came from a hostile quarter, I knew that their object was to poison the public mind as to my motives, when they were not able to charge me with facts. But the idea being once presented to me, my own quiet required that I should face it & examine it. I did so thoroughly, & had no difficulty to see that every reason which had determined me to retire from the office I then held, operated more strongly against that which was insinuated to be my object. I decided then on those general grounds which could alone be present to my mind at the time, that is to say, reputation, tranquillity, labor; for as to public duty, it could not be a topic of consideration in my case. If these general considerations were sufficient to ground a firm resolution never to permit myself to think of the office, or to be thought of for it, the special ones which have supervened on my retirement, still more insuperably bar the door to it. My health is entirely broken down within the last eight months; my age requires that I should place my affairs in a clear state; these are

Digitized by Google

sound if taken care of, but capable of considerable dangers if longer neglected; and above all things, the delights I feel in the society of my family, and the agricultural pursuits in which I am so eagerly engaged. The little spice of ambition which I had in my younger days has long since evaporated, and I set still less store by a posthumous than present name. In stating to you the heads of reasons which have produced my determination, I do not mean an opening for future discussion, or that I may be reasoned out of it. The question is forever closed with me; my sole object is to avail myself of the first opening ever given me from a friendly quarter (and I could not with decency do it before), of preventing any division or loss of votes, which might be fatal to the Republican interest. If that has any chance of prevailing, it must be by avoiding the loss of a single vote, and by concentrating all its strength on one object. Who this should be, is a question I can more freely discuss with anybody than yourself. In this I painfully feel the loss of Monroe. Had he been here, I should have been at no loss for a channel through which to make myself understood; if I have been misunderstood by anybody through the instrumentality of mr. Fenno & his abettors.—I long to see you. I am proceeding in my agricultural plans with a slow but sure step. To get under full way will require 4. or 5. years. But patience & perseverance will accomplish it. My little essay in red clover, the last year, has had the most encouraging success. I sowed then about 40. acres. I have sowed this year

Digitized by Google

about 120. which the rain now falling comes very opportunely on. From 160. to 200. acres, will be my yearly sowing. The seed-box described in the agricultural transactions of New York, reduces the expense of seeding from 6/ to 2/3 the acre, and does the business better than is possible to be done by the human hand. May we hope a visit from you? If we may, let it be after the middle of May, by which time I hope to be returned from Bedford. I had had a proposition to meet mr. Henry there this month, to confer on the subject of a convention, to the calling of which he is now become a convert. The session of our district court furnished me a just excuse for the time; but the impropriety of my entering into consultation on a measure in which I would take no part, is a permanent one.

Present my most respectful compliments to mrs. Madison, & be assured of the warm attachment of, Dear Sir, yours affectionately.

TO WILLIAM BRANCH GILES. J. MSS.

MONTICELLO, Apr 27, 1795.

DEAR SIR,—Your favor of the 16th came to hand by the last post. * * * I sincerely congratulate you on the great prosperities of our two first allies, the French & Dutch. If I could but see them now at peace with the rest of their continent, I should have little doubt of dining with Pichegru in London, next autumn; for I believe I should be tempted to leave my clover for awhile, to go and hail the dawn of

Digitized by Google

liberty & republicanism in that island. I shall be rendered very happy by the visit you promise me. The only thing wanting to make me completely so, is the more frequent society with my friends. It is the more wanting, as I am become more firmly fixt to the glebe. If you visit me as a farmer it must be as a condisciple: for I am but a learner; an eager one indeed, but yet desperate, being too old now to learn a new art. However, I am as much delighted & occupied with it, as if I was the greatest adept. I shall talk with you about it from morning till night, and put you on very short allowance as to political aliment. Now and then a pious ejaculation for the French & Dutch republicans, returning with due despatch to clover, potatoes, wheat, &c. That I may not lose the pleasure promised me, let it not be till the middle of May, by which time I shall be returned from a trip I meditate to Bedford. Yours affectionately.

TO DÉMEUNIER.[1] J. MSS.

MONTICELLO, VIRGINIA, Apr. 29, 95.

DEAR SIR.—Your favor of Mar. 30. from Philadelphia came to my hands a few days ago. That which you mention to have written from London has never been received; nor had I been able to discover what has been your fortune during the troubles of France after the death of the King. Being thoroughly persuaded that under all circumstances your conduct had been entirely

[1] See Vol. IV, 138.

Digitized by Google

innocent & friendly to the freedom of your country, I had hopes that you had not been obliged to quit your own country. Being myself a warm zealot for the attainment & enjoiment by all mankind of as much liberty, as each may exercise without injury to the equal liberty of his fellow citizens, I have lamented that in France the endeavours to obtain this should have been attended with the effusion of so much blood. I was intimate with the leading characters of the year 1789. So I was with those of the Brissotine party who succeeded them: & have always been persuaded that their views were upright. Those who have followed have been less known to me: but I have been willing to hope that they also meant the establishment of a free government in their country, excepting perhaps the party which has lately been suppressed. The government of those now at the head of affairs appears to hold out many indications of good sense, moderation & virtue; & I cannot but presume from their character as well as your own that you would find a perfect safety in the bosom of your own country. I think it fortunate for the United States to have become the asylum for so many virtuous patriots of different denominations: but their circumstances, with which you were so well acquainted before, enabled them to be but a bare asylum, & to offer nothing for them but an entire freedom to use their own means & faculties as they please. There is no such thing in this country as what would be called wealth in Europe. The richest are but a little at ease, & obliged to pay the most

Digitized by Google

rigorous attention to their affairs to keep them together. I do not mean to speak here of the Beaujons of America. For we have some of these tho' happily they are but ephemeral. Our public œconomy also is such as to offer drudgery and subsistence only to those entrusted with its administration, a wise & necessary precaution against the degeneracy of the public servants. In our private pursuits it is a great advantage that every honest employment is deemed honorable. I am myself a nail-maker. On returning home after an absence of ten years, I found my farms so much deranged that I saw evidently they would be a burden to me instead of a support till I could regenerate them; & consequently that it was necessary for me to find some other resource in the meantime. I thought for awhile of taking up the manufacture of pot-ash, which requires but small advances of money. I concluded at length however to begin a manufacture of nails, which needs little or no capital, & I now employ a dozen little boys from 10. to 16. years of age, overlooking all the details of their business myself & drawing from it a profit on which I can get along till I can put my farms into a course of yielding profit. My new trade of nail-making is to me in this country what an additional title of nobility or the ensigns of a new order are in Europe. In the commercial line, the grocers business is that which requires the least capital in this country. The grocer generally obtains a credit of three months, & sells for ready money so as to be able to make his paiments & obtain a new supply. But I think I have observed

Digitized by Google

that your countrymen who have been obliged to work out their own fortunes here, have succeeded best with a small farm. Labour indeed is dear here, but rents are low & on the whole a reasonable profit & comfortable subsistence results. It is at the same time the most tranquil, healthy, & independent. And since you have been pleased to ask my opinion as to the best way of employing yourself till you can draw funds from France or return there yourself, I do presume that this is the business which would yield the most happiness & contentment to one of your philosophic turn. But at the distance I am from New York, where you seem disposed to fix yourself, & little acquainted with the circumstances of that place I am much less qualified than disposed to suggest to you emploiments analogous to your turn of mind & at the same time to the circumstances of your present situation. Be assured that it will always give me lively pleasure to learn that your pursuits, whatever they may be may lead you to contentment & success, being with very sincere esteem & respect, dear sir, your most obedient servant.

TO JAMES MONROE. J. MSS.

MONTICELLO May 26, 1795.

DEAR SIR,—I have received your favor of Sep. 7th from Paris, which gave us the only news we have had from you since your arrival there. On my part it would be difficult to say why this is the first time I have written to you. Revising the case myself I am sensible it has proceeded from that sort of procrasti-

Digitized by Google

nation which so often takes place when no circumstance fixes a business to a particular time. I have never thought it possible through the whole time that I should be ten days longer without writing to you & thus more than a year has run off.

I am too much withdrawn from the scene of politics to give you anything in that line worth your notice. The servile copyist of Mr. Pitt, thought he too must have his alarms, his insurrections and plots against the Constitution. Hence the incredible fact that the freedom of association, of conversation, & of the press, should in the 5th year of our government have been attacked under the form of a denunciation of the democratic societies, a measure which even England, as boldly as she is advancing to the establishment of an absolute monarchy has not yet been bold enough to attempt. Hence too the example of employing military force for civil purposes, when it has been impossible to produce a single fact of insurrection unless that term be entirely confounded with occasional riots, & when the ordinary process of law had been resisted indeed in a few special cases but by no means generally, nor had its effect been duly tried. But it answered the favorite purposes of strengthening government and increasing public debt; & therefore an insurrection was announced & proclaimed & armed against, but could never be found. & all this under the sanction of a name which has done too much good not to be sufficient to cover harm also. & what is equally astonishing is that by the pomp of reports, proclamations, armies &c. the mind of the legislature

Digitized by Google

itself was so fascinated as never to have asked where, when, & by whom this insurrection has been produced? The original of this scene in another country was calculated to excite the indignation of those whom it could not impose on: the mimicry of it here is too humiliating to excite any feeling but shame. Our comfort is that the public sense is coming right on the general principles of republicanism & that its success in France puts it out of danger here. We are still uninformed what is Mr. Jay's treaty: but we see that the British piracies have multiplied upon us lately more than ever. They had at one time been suspended. We will quit the subject for our own business.

The valuation by Mr. Lewis & Mr. Divers which had been set on foot before your departure, took place Sep. 19, 1794. It was £173. currency & exchange being then at 40. per cent, it was equivalent to £123-11-5 sterling. On the 19th of Nov. I drew on James Maury for £37-10 sterling in favor of Wm. B. Giles, & shall now immediately draw for the balance. Mr. Madison & myself examined your different situations for a house. We did not think it admitted any sort of question but that that on the east side of the road, in the wood, was the best. There is a valley not far from it to the southwest & on the western side of the road which would be a fine situation for an orchard. Mr. Jones having purchased in Loudon we shall hardly see him here, & indeed have hardly seen him. If I can get proper orders from him I will have the ground above mentioned planted in fruit

Digitized by Google

trees from my own nursery, where I have made an extra provision on your account. Indeed I wish you would determine to save 500. or 1000£ a year from your present salary, which you ought to do as a compensation for your time, & send us a plan of the house & let us be building it, drawing on you for a fixed sum annually till it be done. I would undertake to employ people in the most economical way, to superintend them & the work & have the place in a comfortable state for your reception. If you think proper to authorize me to do this I shall begin immediately on receiving your permission. I am so confident that you ought to do it & will do it that I have ventured to send a small claim or two to you as explained in the two inclosed letters to LaMotte & Froullé, with an expectation that you will give me an opportunity of replacing it here to those who shall be employed for you. Should you however not conclude to let us do anything for you here, I would wish you to suppress both these letters. While speaking of Froullé, Libraire, au quai des Augustins, I can assure you that after having run a severe gauntlet under the Paris book-sellers I rested at last on this old gentleman, whom I found in a long & intimate course of after dealings to be one of the most conscientiously honest men I every had dealings with. I commend him to you strongly, should you purchase books. I think LaMotte at Havre a very good & friendly man, & wish your forming more than an official intimacy with him. Should you have occasion for wines from Burgundy, apply to Mons[r] Parent Connelie à Beaume,

Digitized by Google

who will furnish you with the genuine wines you may call for, & at honest prices. I found him indeed very faithful in a long course of employment. He can particularly send you of the best crops of Meursalt & Cotte d'or. For fine Champagne non mousseux, apply to Monsr. Dorsai, or to his homme-d'affaires Monsr. Louis if still in place at his Chateau at Aij near Epernay in Champagne. While recommending good subjects to you I must ask you to see for me the following persons, present my affectionate remembrance to them and let me hear how they have weathered the storm. These are L'Abbe Ammon, place Vendome, chez M Daville, an excellent mentor and much affectioned to the Americans. Monsr. la Vieillard of Passy whom Dr. Franklin presented to me as the honestest man in France, & a very honest & friendly one I found him. Monsr. & Madame Grand at Passy vastly good & friendly people also. Dr. Gem an old English physician in the Faubourg St. Germains, who practiced only for his friends & would take nothing, one of the most sensible & worthy men I have ever known. But I reckon he has gone to England. Many others I could name of great worth but they would be too many, & have perhaps changed their scene. If Mr. Balbatre the musical preceptor of my daughters of the Faubourg St. Honore or its neighborhood can be found, be so good as to deliver him the affectionate compliments of my family, & if he can send them anything new & good in the musical line, I will ask you to pay him for it & let it be packed with the books from Froullé.

Digitized by Google

These, if they come at all, must come before the winter, as a winter passage is inevitable ruin to books. I have bought for Mr. Short the land between yours & Blenheim 1334 acres @ 23/6 ready money. Three out of seven shares (of 50 as each) of Carter's land over the mountain will be for sale soon. It is not known where these lands will lie as the partition is not yet made. Should anyone join you on the mountain it would be worth your purchase. Collé is lately sold for £375. to a Mr. Catlet, a farmer, whom I do not know. It is very possible it will be for sale again. Should you conclude to build a house, you must decide whether of brick or stone. The latter costs about one-half of the former, to wit about 8/ a perch of 25 cubic feet. I hope Mr. Jones will change the system of corn & wheat alternately on your land till the fields are entirely worn out, abandoned, & the new ones treated in the same manner. This is the way my lands have been ruined. Yours are yet in a saveable state. But a very little time will put some of them beyond recovery. The best plan would be to divide the open grounds into 5. fields, and tend them in this order. 1. wheat. 2. corn & potatoes. 3. rye. 4. clover. 5. clover. And then begin wheat &c. over again. By this means they would go into corn but once in five years. It would be still better to have four or five men for a twelve months to clear the whole body of your tenable lands at once, that you may at once come into the use of the whole, & allow more relief to the old, & an easier service to all of it in general, instead of wearing out one half while

Digitized by Google

clearing the other by little & little as we have generally done in this neighborhood. I am going to have Short's all cleared in this way. But of all this there can be no better judge than Mr. Jones. I have divided my farms into seven fields on this rotation. 1. wheat. 2. peas & potatoes. 3. corn & potatoes. 4. peas & potatoes till I can get the vetch from Europe. 5. rye. 6. clover. 7. clover. My lands were so worn that they required this gentle treatment to recover them. Some of yours are as far gone. There are two or three objects which you should endeavour to enrich our country with. 1. the Alpine strawberry. 2. The skylark. 3. The *red* legged Partridge. I despair too much of the nightingale to add that. We should associate Mrs. Monroe to you in these concerns. Present to her our most affectionate esteem, not forgetting Eliza. We are all well except Mr. Randolph, whose health is very frail indeed. It is the more discouraging as there seems to have been no founded conjecture what is the matter with him. Your brother is well, but Mrs. Monroe rather sickly. The death of Dr. Walker is the only event of that kind which has taken place in our neighborhood since you left us. Dr. Gilmer still lives. His eldest daughter is to be married to a Mr. Wirt the day after tomorrow. Frank Walker has succeeded to the whole of Dr. Walker's estate, said to be worth £20,000. Sam Carr married to a daughter of Overton Carr in Maryland & probably will remove there. His mother (my sister) living at his place a little above Dr. Gilmer's. My budget is out. Adieu. God Almighty bless you all.

Digitized by Google

P. S. If you can send us with Froullé's books a supply of 20. or 30 lb. of maccaroni, they will be an agreeable addition to his bill.

TO TENCH COXE. J. MSS.

MONTICELLO June 1, 1795.

DEAR SIR,—I received a few days ago only your favor of Mar. 20. accompanied by the collection of your papers lately printed, for which I cordially thank you. It will enable me to turn with more convenience to pieces which I consult with pleasure & instruction.

I congratulate you on the successes of our two allies. Those of the Hollanders are new and therefore pleasing. It proves that there is a god in heaven, & that he will not slumber without end on the iniquities of tyrants, or their Stadtholder. This ball of liberty, I believe most piously, is now so well in motion that it will roll round the globe. At least the enlightened part of it, for light & liberty go together. It is our glory that we first put it into motion, & our happiness that being foremost we had no bad examples to follow. What a tremendous obstacle to the future attempts at liberty will be the atrocities of Robespierre! We are enjoying a most seasonable sowing after a winter which had greatly injured our small grain. Nothing can give us a great crop. I doubt if it can be made even a good one. Our first hay-cutting (clover) begins to-day. This may mark to you the difference of your seasons & ours. My clover in common upland fields which were never

Digitized by Google

manured will yield 1500 lb. to the acre at this cutting, which I consider as an encouraging beginning. I take the liberty of asking your care of two letters, both of them of importance. I have not enclosed Monroe's either to our office of foreign affairs or the Minister of France, because I thought you might possibly find a safer channel than either. It requires safety and secrecy. But adopt either of those channels if you think them the best. I am with much affection, dear sir, your friend & servant.

TO JAMES MADISON. MAD. MSS.

Aug. 3, 95.

You will perceive by the inclosed that Hamilton has taken up his pen in support of the treaty (return it to me). He spoke on it's behalf in the meeting at New York, and his party carried a decision in favor of it by a small majority. But the Livingstonians appealed to stones & clubs & beat him & his party off the ground. This from a gentleman just from Philadelphia. Adieu.

P. S. Richmond has decided against the treaty. It is said that not even Carrington undertakes to defend it.

TO MANN PAGE. J. MSS.

MONTICELLO, Aug 30, 1795.

It was not in my power to attend at Fredericksburg according to the kind invitation in your letter, and in that of mr. Ogilvie. The heat of the weather, the

Digitized by Google

business of the farm, to which I have made myself necessary, forbade it; and to give one round reason for all, *mature sanus*, I have laid up my Rosinante in his stall, before his unfitness for the road shall expose him faultering to the world. But why did not I answer you in time? Because, in truth, I am encouraging myself to grow lazy, and I was sure you would ascribe the delay to anything sooner than a want of affection or respect to you, for this was not among the possible causes. In truth, if anything could ever induce me to sleep another night out of my own house, it would have been your friendly invitation and my sollicitude for the subject of it, the education of our youth. I do most anxiously wish to see the highest degrees of education given to the higher degrees of genius, and to all degrees of it, so much as may enable them to read & understand what is going on in the world, and to keep their part of it going on right: for nothing can keep it right but their own vigilant & distrustful superintendence. I do not believe with the Rochefoucaults & Montaignes, that fourteen out of fifteen men are rogues: I believe a great abatement from that proportion may be made in favor of general honesty. But I have always found that rogues would be uppermost, and I do not know that the proportion is too strong for the higher orders, and for those who, rising above the swinish multitude, always contrive to nestle themselves into the places of power & profit. These rogues set out with stealing the people's good opinion, and then steal from them the right of withdrawing it, by con-

Digitized by Google

triving laws and associations against the power of the people themselves. Our part of the country is in considerable fermentation, on what they suspect to be a recent roguery of this kind. They say that while all hands were below deck mending sails, splicing ropes, and every one at his own business, & the captain in his cabbin attending to his log book & chart, a rogue of a pilot has run them into an enemy's port. But metaphor apart, there is much dissatisfaction with mr. Jay & his treaty. For my part, I consider myself now but as a passenger, leaving the world, & it's government to those who are likely to live longer in it. That you may be among the longest of these, is my sincere prayer. After begging you to be the bearer of my compliments & apologies to mr. Ogilvie, I bid you an affectionate farewell, always wishing to hear from you.

TO JAMES MONROE. MON. MSS.

MONTICELLO. Sep. 6, 95.

DEAR SIR,—I wrote you on the 26th of May last. Since that Mr. Jones has been here & Mr. Madison, and have communicated to me some of your letters. Mr. Jones is taking good measures for saving and improving your land but of all this he will inform you. I enclose you a letter for Md^e^ Bellanger, which I leave open for your perusal as its contents may suggest to you some service to Derieux. I also inclose you a letter from him, and a draft on his uncle's executors for 4000 ♯ which we must trouble you to remit in some way or other without loss if possible: and if it can-

Digitized by Google

not be received without too sensible a loss, I think it had better lie. Observe that the money is not to be remitted to Derieux, as he has conveyed it to Colo. Gamble & Colo. Bell to satisfy debts. I think it had better be sent to Colo. Bell, who will pay to Gamble his part of it. If you receive it, it may be a convenience and safety to all parties for you to apply a part of it to answer the little commissions I gave you for Froullé & La Motte, and to order me to pay their amount to Colo. Bell which I will do on sight of your order. But name the sum I am to pay in dollars to avoid all questions of depreciation. In this case I would be willing to extend my commission to the procuring me some wines from Bordeaux to be purchased & shipped for me by Mr. Fenwick to Richmond, consigned to Colo. Gamble. I will note the wines at the foot of my letter. When you shall have read the letter to Madame Bellanger, be so good as seal & send it to her.—I trouble you also with a letter to Madame de Tessé, whom I suppose to be in Switzerland: pray find a safe conveyance, and receive for me any letters she may send for me. She is a person for whom I have great friendship. Mr. Gautier, banker, successor to Grand, to whom I enclose another letter can probably inform you how to address & forward that to Madame de Tessé.—Nothing has happened in our neighborhood worth communication to you. Mr. Randolph's health was at the lowest ebb, & he determined to go to the Sweet springs where he still is. His last letter informs me that his amendment is so great as to give

Digitized by Google

him hopes of an entire recovery.—In political matters there is always something new. Yet at such a distance and with such uncertain conveyances it is best to say little of them. It may be necessary however to observe to you that in all countries where parties are strongly marked, as the monocrats and republicans here, there will always be desertions from the one side to the other: and to caution you therefore in your correspondence with *Dawson*,[1] who is now closely connected in speculations as we are told with *Harry Lee*. With *Steel* become a consummate Tory, and even *Innes*, who has changed backwards and forwards two or three times lately.—Mr. Jay's treaty has at length been made public. So general a burst of dissatisfaction never before appeared against any transaction. Those who understand the particular articles of it, condemn these articles. Those who do not understand them minutely, condemn it generally as wearing a hostile face to France. This last is the most numerous class, comprehending the whole body of the people, who have taken a greater interest in this transaction than they were ever known to do in any other. It has in my opinion completely demolished the monarchial party here. The Chamber of Commerce in New York, against the body of the town, the merchants in Philadelphia, against the body of their town, also, and our town of Alexandria have come forward in it's support. Some individual champions also appear. *Marshall, Carrington, Harvey,*

[1] Italic are cipher numbers in original.

Digitized by Google

Bushrod Washington, Doctor Stewart. A more powerful one is *Hamilton*, under the signature of *Camillas. Adams* holds his tongue with an address above his character. We do not know whether the President has signed it or not. If he has it is much believed the H. of representatives will oppose it as constitutionally void, and thus bring on an embarrassing and critical state in our government.— If you should receive Derieux' money and order the wines, Mr. Fenwick ought to ship them in the winter months. Present my affectionate respects to Mrs. Monroe, and accept them yourself. No signature is necessary.[1]

P.S. The day after writing the preceding letter, yours of June 23 & 27 came to hand. I open this therefore to acknowledge the receipt & thank you for the information given. Soon after that date you will have received mine of May 26, and perceive by that & this that I had taken the liberty of asking some services from you. Yes, the treaty is now known here, by a bold act of duty in one of our Senators, and what the sentiments upon it are, our public papers will tell you, for I take for granted they are forwarded to you from the Secretary of State's office. The same post which

[1] "Wines to be procured & shipped by Mr. Fenwick from Bordeaux if it should be found advantageous to remit mr. Derieux' money in that way. They will come at my risk.

250 bottles of the best vin rouge ordinaire used at the good tables of Bordeaux, such as mr. Fenwick sent me before.

125 bottles of Sauterne, old & ready for use.

60 bottles of Fontignan.

60 bottles of white Hermitage of the first quality, old & ready for use."

Digitized by Google

brought your letter, brought also advice of the death of Bradford, Atty Genl., the resignation of E. Randolph (retiring perhaps from the storm he saw gathering), and of the resolutions of the Chamber of Commerce of Boston in opposition to those of the town of Boston in general. P. Marks is dead within these 24. hours. His wife had died some months before. I omitted in my letter to mention that J. Rutledge was appointed Chief Justice in the room of Mr. Jay, and that he, Gov^r Pinckney & others of that Southern constellation had pronounced themselves more desperately than any others against the treaty. —Still deliver the letters to Mad^e Bellanger. A true state of the case, soothing and altering terms may perhaps produce the execution of her last promise.

TO TENCH COXE. J. MSS.

MONTICELLO Sep. 10, 95.

DEAR SIR,—I have to acknolege the receipt of your favor of July 30. The sentiments therein expressed on the subject of the treaty coincide perfectly with those of this country, which I believe were never more unanimous. 4. or 5. individuals of Richmond, distinguished however by their talents as by their devotion to all the sacred acts of the government, & the town of Alexandria constitute the whole support of that instrument here. Camillus may according to his custom write an Encyclopedia on the subject, but it is too obstinate to be twisted by all his sophisms

Digitized by Google

into a tolerable shape. Having interdicted to myself the reading of newspapers, & thinking or saying anything on public matters beyond what the conversation of my neighbors draws me into, I leave such delights to those who, more rational than myself, prefer them to their tranquility, & to those whose stations keep them in that vortex, & make them better judges of what is passing around them. My situation putting it out of my power to find good conveyances for my foreign letters in these times of obstruction by sea & by land, I avail myself of your friendship to get them on: & now take the liberty of enclosing some. Our foreign ministers being entitled to charge their postages, & the risque of separating the 3d. letter, dispenses with apology on the subject of postage. That to Van Staphorst covers bills of exchange, the property of Mr. Mazzei which I am remitting as it is collected.

TO HENRY TAZEWELL. J. MSS.

MONTICELLO, Sep 13, 1795.

DEAR SIR,—I ought much sooner to have acknoleged your obliging attention in sending me a copy of the treaty. It was the first we received in this part of the country. Tho I have interdicted myself all serious attention to political matters, yet a very slight notice of that in question sufficed to decide my mind against it. I am not satisfied we should not be better without treaties with any nation. But I am satisfied we should be better without such as this. The

Digitized by Google

public dissatisfaction too & dissension it is likely to produce, are serious evils. I am not without hopes that the operations on the 12th article may render a recurrence to the Senate yet necessary, and so give to the majority an opportunity of correcting the error into which their exclusion of public light has led them. I hope also that the recent results of the English will at length awaken in our Executive that sense of public honor & spirit, which they have not lost sight of in their proceedings with other nations, and will establish the eternal truth that acquiescence under insult is not the way to escape war. I am with great esteem, Dear Sir, your most obedient humble servant.

TO JAMES MADISON. MAD. MSS.

MONTICELLO, Sep 21, 1795.

I received about three weeks ago, a box containing 6. doz. volumes, of 283. pages, 12 mo, with a letter from Lambert, Beckley's clerk, that they came from mr. Beckley, & were to be divided between yourself, J. Walker, & myself. I have sent 2. doz to J. Walker, and shall be glad of a conveyance for yours. In the meantime, I send you by post, the title page, table of contents, and one of the pieces, Curtius,[1] lest it should not have come to you otherwise. It is evidently written by Hamilton, giving a first & general view of the subject, that the public mind might be kept a little in check, till he could resume the subject more at large

[1] The letters of "Curtius" were written by Noah Webster, except numbers 6–7, which were from the pen of James Kent.

Digitized by Google

from the beginning, under his second signature of Camillus. The piece called "The Features of the Treaty," I do not send, because you have seen it in the newspapers. It is said to be written by Coxe, but I should rather suspect, by Beckley. The antidote is certainly not strong enough for the poison of Curtius. If I had not been informed the present came from Beckley, I should have suspected it from Jay or Hamilton. I gave a copy or two, by way of experiment, to honest, sound-hearted men of common understanding, and they were not able to parry the sophistry of Curtius. I have ceased therefore, to give them. Hamilton is really a colossus to the anti-republican party. Without numbers, he is an host within himself. They have got themselves into a defile, where they might be finished; but too much security on the republican part will give time to his talents & indefatigableness to extricate them. We have had only middling performances to oppose to him. In truth, when he comes forward, there is nobody but yourself who can meet him. His adversaries having begun the attack, he has the advantage of answering them, & remains unanswered himself. A solid reply might yet completely demolish what was too feebly attacked, and has gathered strength from the weakness of the attack. The merchants were certainly (except those of them who are English) as open mouthed at first against the treaty as any. But the general expression of indignation has alarmed them for the strength of the government. They have feared the shock would be too great, and have chosen

Digitized by Google

to tack about & support both treaty & government, rather than risk the government. Thus it is, that Hamilton, Jay, &c., in the boldest act they ever ventured on to undermine the government, have the address to screen themselves, & direct the hue & cry against those who wish to drag them into light. A bolder party-stroke was never struck. For it certainly is an attempt of a party, which finds they have lost their majority in one branch of the Legislature, to make a law by the aid of the other branch & of the executive, under color of a treaty, which shall bind up the hands of the adverse branch from ever restraining the commerce of their patron-nation. There appears a pause at present in the public sentiment, which may be followed by a revulsion. This is the effect of the desertion of the merchants, of the President's chiding answer to Boston & Richmond, of the writings of Curtius & Camillus, and of the quietism into which people naturally fall after first sensations are over. For god's sake take up your pen, and give a fundamental reply to Curtius & Camillus.

TO REV. JAMES MADISON.[1]

FONTAINBLEAU Oct. 28. 1795

DEAR SIR,—Seven o'clock, and retired to my fireside, I have determined to enter into conversation with you. This is a village of about 5000 inhabitants

[1] The true date of this letter is ten years previous to this, Jefferson having written 1795 in place of 1785, and owing to this error, it was not included in its correct place in the present work. As the letter is of singular interest, the editor has thought it best to include it, even though out of its proper place.

Digitized by Google

when the court is not here & 20,000 when they are, occupying a valley thro' which runs a brook and on each side of it a ridge of small mountains most of which are naked rock. The King comes here, in the fall always, to hunt. His court attend him, as do also the foreign diplomatic corps. But as this is not indispensably required & my finances do not admit the expense of a continued residence here, I propose to come occasionally to attend the King's levees, returning again to Paris, distant 40 miles. This being the first trip I set out yesterday morning to take a view of the place. For this purpose I shaped my course towards the highest of the mountains in sight, to the top of which was about a league. As soon as I had got clear of the town I fell in with a poor woman walking at the same rate with myself & going the same course. Wishing to know the condition of the laboring poor I entered into conversation with her, which I began by enquiries for the path which would lead me into the mountain : & thence proceeded to enquiries into her vocation, condition & circumstances. She told me she was a day labourer, at 8. sous or 4^{d} sterling the day ; that she had two children to maintain, & to pay a rent of 30 livres for her house, (which would consume the hire of 75 days) that often she could get no emploiment, and of course was without bread. As we had walked together near a mile & she had so far served me as a guide, I gave her, on parting, 24 sous. She burst into tears of a gratitude which I could perceive was unfeigned because she was unable to utter a word. She had

Digitized by Google

probably never before received so great an aid. This little attendrissement, with the solitude of my walk led me into a train of reflections on that unequal division of property which occasions the numberless instances of wretchedness which I had observed in this country & is to be observed all over Europe. The property of this country is absolutely concentrated in a very few hands, having revenues of from half a million of guineas a year downwards. These employ the flower of the country as servants, some of them having as many as 200 domestics, not labouring. They employ also a great number of manufacturers, & tradesmen, & lastly the class of labouring husbandmen. But after all there comes the most numerous of all the classes, that is, the poor who cannot find work. I asked myself what could be the reason that so many should be permitted to beg who are willing to work, in a country where there is a very considerable proportion of uncultivated lands? These lands are undisturbed only for the sake of game. It should seem then that it must be because of the enormous wealth of the proprietors which places them above attention to the encrease of their revenues by permitting these lands to be laboured. I am conscious that an equal division of property is impracticable. But the consequences of this enormous inequality producing so much misery to the bulk of mankind, legislators cannot invent too many devices for subdividing property, only taking care to let their subdivisions go hand in hand with the natural affections of the human mind. The descent of property of every kind there-

Digitized by Google

fore to all the children, or to all the brothers & sisters, or other relations in equal degree is a politic measure, and a practicable one. Another means of silently lessening the inequality of property is to exempt all from taxation below a certain point, & to tax the higher portions of property in geometrical progression as they rise. Whenever there is in any country, uncultivated lands and unemployed poor, it is clear that the laws of property have been so far extended as to violate natural right. The earth is given as a common stock for man to labour & live on. If for the encouragement of industry we allow it to be appropriated, we must take care that other employment be provided to those excluded from the appropriation. If we do not the fundamental right to labour the earth returns to the unemployed. It is too soon yet in our country to say that every man who cannot find employment but who can find uncultivated land shall be at liberty to cultivate it, paying a moderate rent. But it is not too soon to provide by every possible means that as few as possible shall be without a little portion of land. The small land holders are the most precious part of a state. * * *

TO JAMES MADISON. J. MSS.

Nov. 26, 95.

Your favor from Fredericksburg came safe to hand. I enclose you the extract of a letter I received from Mr. R. now in Richmond.[1] Tho' you will have been

"[1] Extract of a lre. dated RICHMD. Nov. 22. 1795.

"Mann Page's motion for a resolution approving the conduct of the minority in the national senate was warmly agitated three whole days, Wednes-

Digitized by Google

informed of the fact before this reaches you, yet you will see more of the subject by having different views of it presented to you. Though Marshall will be able to embarras the republican party in the assembly a good deal, yet upon the whole, his having gone into it will be of service. He has been hitherto able to do more mischief acting under the mask of Republicanism than he will be able to do after throwing it plainly off.

---

day Thursd. & Friday. It was much less ably defended than opposed. John Marshal it was once apprehended would make a great number of converts by an argument which cannot be considered in any other light than an uncandid artifice. To prevent what would be a virtual censure of the President's conduct he maintained *that the treaty in all its commercial parts was still under the power of the H. of R.* He contended that it was more in the spirit of the constitution for it to be rendered nugatory after it received the sanction of the P. & S. by *the H. of R. refusing it their support*, than for its existence to be prevented, for it to be stifled in embryo by their declaring upon application from the P. to know their sentiment before he had given it his signature, that they would withhold that support. He compared the relation of the Executive to the Legislative department to that between the states and the Congress under the old confederation. The old Congress might have given up the right of laying discriminating duties in favor of any nation by treaty: it would never have thought of taking beforehand the assent of each state thereto. Yet no one would have pretended to deny the power of the states to lay such. This doctrine, I believe, is all that is original in his argument. The sophisms of Camillus, & the nice distinctions of the Examiner made up the rest. It is clear that it was brought forward for the purpose of gaining over the unwary & wavering. It has never been admitted by the writers in favor of the treaty to the northward. Its author was disappointed however. Upon a division the vote stood 100 to 50. After the question Charles Lee brought forward a motion of compliment to the P. It was of most uncommon length which was undoubtedly intended to puzzle: & the word 'wisdom' in expressing the confidence of the House in the P. was so artfully introduced that if the fraudulent design had not been detected in time the vote of the House, as to its effect upon the P. would have been entirely done away. A resolution so worded as to acquit the P. of all evil intention, but at the same time silently censuring his error, was passed by a majority of 33. 89 to 56.

"Some of the warmest of the victorious party talk of bringing forward a motion for a vote of applause to S. T. Mason. But the more moderate say their triumph is sufficient, & it is supposed this will be dropped."

Digitized by Google

His lax lounging manners have made him popular with the bulk of the people of Richmond, & a profound hypocrisy with many thinking men of our country. But having come forth in the plenitude of his English principles the latter will see that it is high time to make him known. His doctrine that the whole commercial part of the treaty (& he might have added the whole unconstitutional part of it) rests in the power of the H. of R. is certainly the true doctrine; & as the articles which stipulate what requires the consent of the three branches of the legislature, must be referred to the H. of R. for their concurrence, so they, being free agents, may approve or reject them, either by a vote declaring that, or by refusing to pass acts. I should think the former mode the most safe & honorable. The people in this part of the country continue very firmly disposed against the treaty. I imagine the 50. negative votes comprehend the whole force of the Alexandrian party & the bigots & passive obedience men of the whole state who have got themselves into the legislature. I observe an expression in Randolph's printed secret intimating that the President, tho' an honest man himself, may be circumvented by snares & artifices, & is in fact surrounded by men who wish to clothe the Executive with more than constitutional powers. This when public, will make great impression. It is not only a truth, but a truth levelled to every capacity & will justify to themselves the most zealous votaries, for ceasing to repose the unlimited confidence they have done in the measures which have been pursued. Communicate the enclosed

Digitized by Google

paper, if you please, to Mr. Giles. Our autumn is fine. The weather mild & intermixed with moderate rains at proper intervals. No ice yet, & not much frost. Adieu.

TO EDWARD RUTLEDGE.[1]

MONTICELLO Nov 30. 95.

MY DEAR SIR,—I received your favor of Oct. 12 by your son, who has been kind enough to visit me here, and from whose visit I have received all that pleasure which I do from whatever comes from you, and especially from a subject so deservedly dear to you. He found me in a retirement I doat on, living like an Antediluvian patriarch among my children & grand children, and tilling my soil. As he had lately come from Philadelphia, Boston &c he was able to give me a great deal of information of what is passing in the world & I pestered him with questions pretty much as our friends Lynch, Nelson &c will us when we step across the Styx, for they will wish to hear what has been passing above ground since they left us. You hope I have not abandoned entirely the service of our country. After a five & twenty years continual employment in it, I trust it will be thought I have fulfilled my tour, like a punctual soldier, and may claim my discharge. But I am glad of the sentiment from you my friend, because it gives a hope you will practice what you preach, and come forward in aid of the public vessel. I will not

[1] From the original in the Historical Society of Pennsylvania.

Digitized by Google

admit your old excuse, that you are in public service tho' at home. The campaigns which are fought in a man's own house are not to be counted. The present situation of the President, unable to get the offices filled, really calls with uncommon obligation on those whom nature has fitted for them. I join with you in thinking the treaty an execrable thing. But both negotiators must have understood that as there were articles in it which could not be carried into execution without the aid of the legislatures on both sides, that therefore it must be referred to them, and that these legislatures being free agents would not give it their support if they disapproved of it. I trust the popular branch of our legislature will disapprove of it, and thus rid us of this infamous act, which is really nothing more than a treaty of alliance between England & the Anglomen of this country against the legislature & people of the United States.—I told your son I had long had it in contemplation to write to you for half a dozen *sour* orange trees, of a proper size for small boxes, as they abound with you. The only trouble they would give would be the putting them into boxes long enough before sending them for them to take root, & when rooted to put them into some vessel coming *direct to Richmond* to the care of mr Daniel Hylton there. Your son is kind enough to undertake the commission. With constant & unchanged affections I am my dear friend.

Digitized by Google

TO WILLIAM BRANCH GILES.[1]

MONTICELLO Dec. 31. 95.

DEAR SIR,—Your favors of Dec. 15. & 20. came to hand by the last post. I am well pleased with the manner in which your house has testified their sense of the treaty. While their refusal to pass the original clause of the reported answer proved their condemnation of it, the contrivance to let it disappear silently respected appearances in favor of the President, who errs as other men do, but errs with integrity. Randolph seems to have hit upon the true theory of our constitution, that when a treaty is made, involving matters confided by the constitution to the three branches of the legislature conjointly, the representatives are as free as the President & Senate were to consider whether the national interest requires or forbids their giving the forms & force of law to the articles over which they have a power.—I thank you much for the pamphlet—his narrative is so straight & plain, that even those who did not know him will acquit him of the charge of bribery; those who knew him had done it from the first. Tho' he mistakes his own political character in the aggregate, yet he gives it to you in the detail. Thus he supposes himself a man of no party (page 97,) that his opinions not containing any systematic adherence to party, fall sometimes on one side and sometimes on the other. (pa. 58.) Yet he gives you these facts, which shew that they fall generally on both sides, & are complete inconsistencies—1. He never gave an opinion in the

[1] From a copy courteously furnished by Dr. J. S. H. Fogg, of Boston.

Digitized by Google

Cabinet against the rights of the people (pa. 97.) yet he advised the denunciation of the popular societies. (67.) 2. He would not neglect the overtures of a commercial treaty with France (79) yet he always opposed it while atty-general, and never seems to have proposed it while Secretary of State. 3. He concurs in resorting to the militia to quell the pretended insurrection in the west (81.) and proposes an augmentation from 12.500 to 15.000 to march against men at their ploughs, (pa. 80.) yet on the 5th of Aug. he is against their marching (83. 101.) and on the 25th of Aug. he is for it. (84.) 4. He concurs in the measure of a mission extraordinary to London (as inferred from pa. 58.) but objects to the men, to wit Hamilton & Jay (58.) 5. He was against granting commercial powers to Mr. Jay (58.) yet he besieged the doors of the Senate to procure their advice to ratify.—6. He advises the President to a ratification on the merits of the treaty (—7.) but to a suspension till the provision order is repealed. (98.) The fact is that he has generally given his principles to the one party & his practice to the other; the oyster to one, the shell to the other. Unfortunately the shell was generally the lot of his friends the French and republicans, & the oyster of their antagonists. Had he been firm to the principles he professes in the year 1793. the President would have been kept from a habitual concert with the British & Antirepublican party, but at that time I do not know which R. feared most, a British fleet, or French disorganisers. Whether his conduct is to be

Digitized by Google

ascribed to a superior view of things, an adherence to right without regard to party, as he pretends, or to an anxiety to trim between both, those who know his character and capacity will decide. Were parties here divided merely by a greediness for office, as in England, to take a part with either would be unworthy of a reasonable or moral man, but where the principle of difference is as substantial and as strongly pronounced as between the republicans & the Monocrats of our country, I hold it as honorable to take a firm & decided part, and as immoral to pursue a middle line, as between the parties of Honest men, & Rogues, into which every country is divided.

A copy of the pamphlet came by this post to Charlottesville. I suppose we shall be able to judge soon what kind of impression it is likely to make. It has been a great treat to me, as it is a continuation of that Cabinet history with the former part of which I was intimate. I remark in the reply of the President a small travestie of the sentiment contained in the answer of the Representatives. They acknowlege that he has *contributed* a great share to the national happiness by his services. He thanks them for ascribing to his *agency* a great share of those benefits. The former keeps in view the co-operation of others towards the public good, the latter presents to view his sole agency. At a time when there would have been less anxiety to publish to the people a strong approbation from your house, this strengthening of your expression would not have been noticed. Our attentions have been so absorbed by the first manifesta-

Digitized by Google

tions of the sentiments of your house, that we have lost sight of our own legislature: insomuch that I do not know whether they are sitting or not.

The rejection of Mr. Rutledge by the Senate is a bold thing, because they cannot pretend any objection to him but his disapprobation of the treaty. It is of course a declaration that they will receive none but tories hereafter into any department of the government. I should not wonder if Monroe were to be recalled under the idea of his being of the partisans of France, whom the President considers as the partisans of *war & confusion* in his letter of July 31, and as disposed to excite them to hostile measures, or at least to unfriendly sentiments. A most infatuated blindness to the true character of the sentiments entertained in favor of France. The bottom of my page warns me that it is time to end my commentaries on the facts you have furnished me. You would of course however wish to know the sensations here on those facts. My friendly respects to Mrs. Madison, to whom the next week's dose will be directed. Adieu affectionately.

NOTES ON PROFESSOR EBELING'S LETTER OF JULY 30, 95.[1]

Professor Ebeling mentioning the persons in America from whom he derives information for his work, it may be useful for him to know how far he may rely on their authority.

President Stiles, an excellent man, of very great learning, but remarkable for his credulity.

[1] Undated, but probably written late in 1795, Christoph Daniel Ebeling was at this time preparing his "Biography and History of North America."

Digitized by Google

Dr. Willard.
Dr. Barton
Dr. Ramsay
Mr. Barlow
} All these are men of respectable characters worthy of confidence as to any facts they may state, and rendered, by their good sense, good judges of them.

Mr. Morse.
Mr. Webster.
} Good authorities for whatever relates to the Eastern states, & perhaps as far South as the Delaware.

But South of that their information is worse than none at all, except as far as they quote good authorities. They both I believe took a single journey through the Southern parts, merely to acquire the right of being considered as eye-witnesses. But to pass once along a public road thro' a country, & in one direction only, to put up at it's taverns, and get into conversation with the idle, drunken individuals who pass their time lounging in these taverns, is not the way to know a country, it's inhabitants, or manners. To generalize a whole nation from these specimens is not the sort of information which Professor Ebeling would wish to compose *his work* from.

Fenno's Gazette of the U. S.
Webster's Minerva.
Columbian centinel.
} To form a just judgment of a country from it's newspapers the character of these papers should be known, in order that proper allowances & corrections may be used. This will require a long explanation, without which, these particular papers would give a foreigner a very false view of American affairs.

The people of America, before the revolution-war, being attached to England, had taken up, without examination, the English ideas of the superiority of their constitution over every thing of the kind which ever had been or ever would be tried. The revolution forced them to consider the subject for themselves, and the result was an universal conversion to republicanism. Those who did not come over to this opinion, either left us, & were called Refugees, or staid with us under the name of tories; & some, preferring profit to principle took side with us and floated with the general tide. Our first federal constitution, or confederation as it was called, was framed in the first moments of our separation from England, in the highest point of our jeal-

Digitized by Google

ousies of independance as to her & as to each other. It formed therefore too weak a bond to produce an union of action as to foreign nations. This appeared at once on the establishment of peace, when the pressure of a common enemy which had hooped us together during the war, was taken away. Congress was found to be quite unable to point the action of the several states to a common object. A general desire therefore took place of amending the federal constitution. This was opposed by some of those who wished for monarchy to wit, the Refugees now returned, the old tories, & the timid whigs who prefer tranquility to freedom, hoping monarchy might be the remedy if a state of complete anarchy could be brought on. A Convention however being decided on, some of the monocrats got elected, with a hope of introducing an English constitution, when they found that the great body of the delegates were strongly for adhering to republicanism, & for giving due strength to their government under that form, they then directed their efforts to the assimilation of all the parts of the new government to the English constitution as nearly as was attainable. In this they were not altogether without success; insomuch that the monarchical features of the new constitution produced a violent opposition to it from the most zealous republicans in the several states. For this reason, & because they also thought it carried the principle of a consolidation of the states farther than was requisite for the purpose of producing an union of action as to foreign powers, it is still doubted by some whether a majority of the people of the U. S. were not against adopting it. However it was carried through all the assemblies of the states, tho' by very small majorities in the largest states. The inconveniences of an inefficient government, driving the people as is usual, into the opposite extreme, the elections to the first Congress run very much in favor of those who were known to favor a very strong government. Hence the anti-republicans appeared a considerable majority in both houses of Congress. They pressed forward the plan therefore of strengthening all the features of the government which gave it resemblance to an English constitution, of adopting the English forms & principles of administration, and of forming like them a monied interest, by means of a funding

Digitized by Google

system, not calculated to pay the public debt, but to render it perpetual, and to make it an engine in the hands of the executive branch of government which, added to the great patronage it possessed in the disposal of public offices, might enable it to assume by degrees a kingly authority. The biennial period of Congress being too short to betray to the people, spread over this great continent, this train of things during the first Congress, little change was made in the members to the second. But in the mean time two very distinct parties had formed in Congress; and before the third election, the people in general became apprised of the game which was playing for drawing over them a kind of government which they never had in contemplation. At the 3d. election therefore a decided majority of Republicans were sent to the lower house of Congress; and as information spread still farther among the people after the 4th. election the anti-republicans have become a weak minority. But the members of the Senate being changed but once in 6. years, the completion of that body will be much slower in it's assimilation to that of the people. This will account for the differences which may appear in the proceedings & spirit of the two houses. Still however it is inevitable that the Senate will at length be formed to the republican model of the people, & the two houses of the legislature, once brought to act on the true principles of the Constitution, backed by the people, will be able to defeat the plan of sliding us into monarchy, & to keep the Executive within Republican bounds, notwithstanding the immense patronage it possesses in the disposal of public offices, notwithstanding it has been able to draw into this vortex the judiciary branch of the government & by their expectancy of sharing the other offices in the Executive gift to make them auxiliary to the Executive in all it's views instead of forming a balance between that & the legislature as it was orriginally intended and notwithstanding the funding phalanx which a respect for public faith must protect, tho it was engaged by false brethren. Two parties then do exist within the U. S. they embrace respectively the following descriptions of persons.

The Anti-republicans consist of

1. The old refugees & tories.

2. British merchants residing among us, & composing the main body of our merchants.

Digitized by Google

3. American merchants trading on British capital. Another great portion.

4. Speculators & Holders in the banks & public funds.

5. Officers of the federal government with some exceptions.

6. Office-hunters, willing to give up principles for places. A numerous & noisy tribe.

7. Nervous persons, whose languid fibres have more analogy with a passive than active state of things.

The Republican part of our Union comprehends

1. The entire body of landholders throughout the United States.

2. The body of labourers, not being landholders, whether in husbanding or the arts.

The latter is to the aggregate of the former party probably as 500 to one; but their wealth is not as disproportionate, tho' it is also greatly superior, and is in truth the foundation of that of their antagonists. Trifling as are the numbers of the Anti-republican party, there are circumstances which give them an appearance of strength & numbers. They all live in cities, together, & can act in a body readily & at all times; they give chief employment to the newspapers, & therefore have most of them under their command. The Agricultural interest is dispersed over a great extent of country, have little means of intercommunication with each other, and feeling their own strength & will, are conscious that a single exertion of these will at any time crush the machinations against their government. As in the commerce of human life, there are commodities adapted to every demand, so there are newspapers adapted to the Antirepublican palate, and others to the Republican. Of the former class are the Columbian Centinel, the Hartford newspaper, Webster's Minerva, Fenno's Gazette of the U. S., Davies's Richmond paper &c. Of the latter are Adams's Boston paper, Greenleaf's of New York, Freneau's of New Jersey, Bache's of Philadelphia, Pleasant's of Virginia &c. Pleasant's paper comes out twice a week, Greenleaf's & Freneau's once a week, Bache's daily. I do not know how often Adam's. I shall according to your desire endeavor to get Pleasant's for you for 1794, & 95. and will have it forwarded through 96 from time to time to your correspondent at Baltimore.

Digitized by Google

While on the subject of authorities and information, the following works are recommended to Professor Ebeling.

Minot's history of the insurrection in Massachusetts in 1786. 8vo

Mazzei. Recherches historiques et politiques sur les E. U. de l'Amerique. 4 vol. 8vo This is to be had from Paris. The author is an exact man.

The article 'Etats Unis de l'Amerique' in the Dictionnaire d'Economie politique et diplomatique, de l'Encyclopedie methodique. This article occupies about 90. pages, is by De Meusnier, and his materials were worthy of confidence, except so far as they were taken from the Abbé Raynal. Against these effusions of an imagination in delirio it is presumed Professor Ebeling needs not be put on his guard. The earlier editions of the Abbé Raynal's work were equally bad as to both South & North America. A gentleman however of perfect information as to South America, undertook to reform that part of the work, and his changes & additions were for the most part adopted by the Abbé in his latter editions. But the North-American part remains in it's original state of worthlessness.

TO ARCHIBALD STUART.[1]

MONTICELLO, Jan. 3, '96.

DEAR SIR,—I troubled you once before on the subject of my nails, and must trouble you once more, but hope my present plan will protect you from all further embarrasment with it. I set out with refusing to retail, expecting the merchants of my neighborhood and the upper country would have given a preference to my supplies, because delivered *here* at the *Richmond wholesale prices*, and at hand to be called for in small parcels, so that they need not to

[1] From the original in the possession of the Virginia Historical Society.

Digitized by Google

keep large sums invested in that article & lying dead on their hands. The importing merchants however decline taking them from a principle of suppressing every effort towards domestic manufacture, & the merchants who purchase here being much under the influence of the importers, take their nails from them with their other goods. I have determined therefore to establish deposits of my nails to be retailed at Milton, Charlottesville, Staunton, Wormester, & Warren, but first at the three first places, because I presume my present works, which turn out a ton a month, will fully furnish them, and two additional fires which will be at work in a short time, will raise it to a ton and a half a month, and enable me to extend my supplies to Wormester & Warren. I shall retail at Richmond *wholesale* prices, laying on 5 percent at Milton & Charlottesville for commission to the retailers, and 10. percent at the other places for commission & transportation. My present retailing prices at Staunton would be

Sixes	12½d	per lb.	equal to 7/3½ per M
Eights	12d	"	equal to 10/
Tens	11½d	"	equal to 12/5½
Twelves	11d	"	equal to 14/8
Sixteens	10½d	"	equal to 17/6
Twenties	10d	"	equal to 20/10

It is tolerably certain that the moment my deposit opens there will be an entire stoppage to the sale of all imported nails, for a body can *retail* them in the upper country at the Richmond *wholesale* prices, advanced only 5 or 10 percent. and as I mean to employ

Digitized by Google

only one person in each place to retail, it will be of some advantage to the merchant who will undertake it, to have the entire monopoly of the nail business, & so draw to his store every one who wants nails, besides the commission of 5 percent, which in an article to be sold for ready money only, and where he does not employ a farthing of his own capital, I am advised is a sufficient allowance for commission. I should expect them to send me a copy of their sales once a month, and to hold the proceeds ready for my draughts at stated periods, say monthly. I trouble you to engage some person whom you can recommend for punctuality, to retail for me. I heard very favorable accounts of a Mr. Stuart, merch[t] of Staunton, & should not hesitate to prefer him if he will undertake it. If not, pray do me the favor to find some other. I have written you the details, not that you need trouble yourself with explaining them to any person but that you may put this letter into his hands. As soon as you will name to me the person you engage I will send him an assortment of nails by the first waggons which will take them in.—Will you be so good as to procure for me a good bearskin, dressed, with a soft skin & the hair on. Dr. Johnson will on your application be so good as to pay for it, and take credit on his account with me. My respectful salutations to Mrs. Stuart, and assurances of attachment to yourself from yours affectionately.

Digitized by Google

TO GEORGE WYTHE. J. MSS.

MONTICELLO, January 16, 1796.

In my letter which accompanied the box containing my collection of Printed laws, I promised to send you by post a statement of the contents of the box. On taking up the subject I found it better to take a more general view of the whole of the laws I possess, as well Manuscript as printed, as also of those which I do not possess, and suppose to be no longer extant. This general view you will have in the enclosed paper, whereof the articles stated to be printed constitute the contents of the box I sent you. Those in MS. were not sent, because not supposed to have been within your view, and because some of them will not bear removal, being so rotten, that in turning over a leaf it sometimes falls into powder. These I preserve by wrapping & sewing them up in oiled cloth, so that neither air nor moisture can have access to them. Very early in the course of my researches into the laws of Virginia, I observed that many of them were already lost, and many more on the point of being lost, as existing only in single copies in the hands of careful or curious individuals, on whose death they would probably be used for waste paper. I set myself therefore to work, to collect all which were then existing, in order that when the day should come in which the public should advert to the magnitude of their loss in these precious monuments of our property, and our history, a part of their regret might be spared by information that a portion has been saved from the wreck, which is worthy of their attention &

Digitized by Google

preservation. In searching after these remains, I spared neither time, trouble, nor expense; and am of opinion that scarcely any law escaped me, which was in being as late as the year 1778 in the middle or Southern parts of the State. In the Northern parts, perhaps something might still be found. In the clerk's office in the antient counties, some of these MS. copies of the laws may possibly still exist, which used to be furnished at the public expense to every county, before the use of the press was introduced; and in the same places, and in the hands of antient magistrates or of their families, some of the fugitive sheets of the laws of separate sessions, which have been usually distributed since the practice commenced of printing them. But recurring to what we actually possess, the question is, what means will be the most effectual for preserving these remains from future loss? All the care I can take of them, will not preserve them from the worm, from the natural decay of the paper, from the accidents of fire, or those of removal when it is necessary for any public purposes, as in the case of those now sent you. Our experience has proved to us that a single copy, or a few, deposited in MS. in the public offices, cannot be relied on for any great length of time. The ravages of fire and of ferocious enemies have had but too much part in producing the very loss we are now deploring. How many of the precious works of antiquity were lost while they were preserved only in manuscript? Has there ever been one lost since the art of printing has rendered it practicable to multiply & disperse

Digitized by Google

copies? This leads us then to the only means of preserving those remains of our laws now under consideration, that is, a multiplication of printed copies. I think therefore that there should be printed at public expense, an edition of all the laws ever passed by our legislatures which can now be found; that a copy should be deposited in every public library in America, in the principal public offices within the State, and some perhaps in the most distinguished public libraries of Europe, and that the rest should be sold to individuals, towards reimbursing the expences of the edition. Nor do I think that this would be a voluminous work. The MSS. would probably furnish matter for one printed volume in folio, would comprehend all the laws from 1624 to 1701, which period includes Purvis. My collection of Fugitive sheets forms, as we know, two volumes, and comprehends all the extant laws from 1734 to 1783; and the laws which can be gleaned up from the Revisals to supply the chasm between 1701 & 1734, with those from 1783 to the close of the present century, (by which term the work might be compleated,) would not be more than the matter of another volume. So that four volumes in folio, would give every law ever passed which is now extant; whereas those who wish to possess as many of them as can be procured, must now buy the six folio volumes of Revisals, to wit, Purvis & those of 1732, 1748, 1768, 1783, & 1794, and in all of them possess not one half of what they wish. What would be the expence of the edition I cannot say, nor how much would be reimbursed by the sales;

Digitized by Google

but I am sure it would be moderate, compared with the rates which the public have hitherto paid for printing their laws, provided a sufficient latitude be given as to printers & places. The first step would be to make out a single copy for the MSS., which would employ a clerk about a year or something more, to which expence about a fourth should be added for the collation of the MSS., which would employ 3. persons at a time about half a day, or a day in every week. As I have already spent more time in making myself acquainted with the contents & arrangement of these MSS. than any other person probably ever will, & their condition does not admit their removal to a distance, I will chearfully undertake the direction & superintendence of this work, if it can be done in the neighboring towns of Charlottesville or Milton, farther than which I could not undertake to go from home. For the residue of the work, my printed volumes might be delivered to the Printer.

I have troubled you with these details, because you are in the place where they may be used for the public service, if they admit of such use, & because the order of assembly, which you mention, shews they are sensible of the necessity of preserving such of these laws as relate to our landed property; and a little further consideration will perhaps convince them that it is better to do the whole work once for all, than to be recurring to it by piece-meal, as particular parts of it shall be required, & that too perhaps when the materials shall be lost. You are the best judge of the weight of these observations, & of the mode of giving them any effect they may merit. Adieu affectionately.

Digitized by Google

TO JOHN ADAMS. J. MSS.

MONTICELLO Feb. 28. 96.

I am to thank you my dear Sir for forwarding M. D'Ivernois' book on the French Revolution. I receive everything with respect which comes from him. But it is on politics, a subject I never loved, & now hate. I will not promise therefore to read it thoroughly. I fear the oligarchical executive of the French will not do. We have always seen a small council get into cabals & quarrels, the more bitter & relentless the fewer they are. We saw this in our committee of the states; & that they were from their bad passions, incapable of doing the business of their country. I think that for the prompt, clear & consistent action so necessary in an executive, unity of person is necessary as with us. I am aware of the objection to this, that the office becoming more important may bring on serious discord in elections. In our country I think it will be long first; not within our day, & we may safely trust to the wisdom of our successors the remedies of the evil to arise in theirs. Both experiments however are not fairly committed & the result will be seen. Never was a finer canvass presented to work on than our countrymen. All of them engaged in agriculture or the pursuits of honest industry independent in their circumstances, enlightened as to their rights & firm in their habits of order & obedience to the laws. This I hope will be the age of experiments in government, & that their basis will be founded in principles of honesty, not of mere force. We have seen no instance of this since the

Digitized by Google

days of the Roman republic, nor do we read of any before that. Either force or corruption has been the principle of every modern government, unless the Dutch perhaps be excepted, & I am not well enough informed to accept them absolutely. If ever the morals of a people could be made the basis of their own government it is our case; & who could propose to govern such a people by the corruption of a legislature, before he could have one night of quiet sleep must convince himself that the human soul as well as body is mortal. I am glad to see that whatever grounds of apprehension may have appeared of a wish to govern us otherwise than on principles of reason & honesty, we are getting the better of them. I am sure from the honesty of your heart, you join me in detestation of the corruptions of the English government, & that no man on earth is more incapable than yourself of seeing that copied among us, willingly. I have been among those who have feared the design to introduce it here, & it has been a strong reason with me for wishing there was an ocean of fire between that island and us. But away politics.

I owe a letter to the Auditor on the subject of my accounts while a foreign minister, & he informs me yours hang on the same difficulties with mine. Before the present government there was a usage either practised on or understood which regulated our charges. This government has directed the future by a law. But this is not retrospective, & I cannot conceive why the treasury cannot settle accounts under the old Congress on the principles that body

Digitized by Google

acted on. I shall very shortly write to Mr. Harrison on this subject & if we cannot have it settled otherwise I suppose we must apply to the Legislature. In this I will act in concert with you if you approve of it. Present my very affectionate respects to Mrs. Adams & be assured that no one more cordially esteems your virtues than, dear Sir, your sincere friend & servant

TO JAMES MONROE. MON. MSS.

Mar. 2. 96.

DEAR SIR,—I wrote you two letters in the course of the last twelve months to wit May 26. & Sep. 6. 95. and have received from you those of Sep. 7. 94. & June 23. 95. neither of which were late enough to inform me if either of mine had got to hand. In those I gave you all the details public & private which my situation enabled me to do. In the last I asked the delivery of a note to Frouillé for some books, particularly the sequel of the Encyclopedia, come out since he last furnished me. I hope these have got to hand.

The most remarkable political occurrence with us has been the treaty with England, of which no man in the U S. has had the effrontery to affirm that it was not a very bad one except A. H. under the signature of Camillus. It's most zealous defenders only pretended that it was better than war, as if war was not invited rather than avoided by unfounded demands. I have never known the public pulse beat so full and in such universal union on any subject

Digitized by Google

since the declaration of Independance, the House of representatives of the U. S. has manifested its disapprobation of the treaty. We are yet to learn whether they will exercise their constitutional right of refusing the means which depend on them for carrying it into execution. Should they be induced to lend their hand to it it will be hard swallowing with their constituents, but will be swallowed from the habits of order & obedience to the laws which so much distinguish our countrymen. The resignation or rather the removal of R. you will have learnt. His vindication bears hard on the executive in the opinions of this quarter, and tho' it clears him in their judgment of the charge of bribery, it does not give them high ideas of his wisdom or steadiness. The appointment of J. Rutledge to be C. J. seems to have been intended merely to establish a precedent against the descent of that office by seniority, and to keep five mouths always gaping for one sugar plumb: for it was immediately negatived by the very votes which so implicitly concur with the will of the executive. I may consign the appointment of Chase to the bench to your own knolege of him & reflections. McHenry secty. at war, Charles Lee Atty Genl, with Pickering & Wolcott by their devotion to genuine republicanism will show to our citizens on what principles alone they can expect to rise. The office of Secy. of State was offered to P. H. in order to draw him over & gain some popularity: but not till there was a moral certainty that he would not accept it. I presume you receive the newspapers, & will have seen the amend-

Digitized by Google

ments to the constitution proposed by the Virginia Assembly. Their reception by some of the other assemblies has been such as to call for the sacrifice of all feeling rather than ruffle the harmony so necessary to the common good. The finances are said to have been left by the late financier in the utmost derangement, and his tools are urging the funding the new debts they have contracted. Thus posterity is to be left to pay the ordinary expenses of our government in time of peace. As small news may escape the notice of your other correspondents, I shall give you what occurs to me. The James river canal is now conducted into the town of Richmond & full toll is exacted. 30. Doll. a share more however are necessary to complete it. The Patowmac & Norfolk canals are not in such forwardness. Mayo' bridge, nearly destroyed by a flood, is reestablished. R. is settled again in Richmond in the business of the law.—Carter's lands on the back of yours & Mr Short's have got into the hands of one of the sons, Ned, who is coming to live on them. The price of wheat is 13/ here the bushel, & corn 20/ the barrel, and not to be had indeed at any price. I have been desirous of planting some fruit trees for you that they may be growing during your absence. But Mr Jones's visits to the neighborhood have been so rare & short that I have not had an opportunity of asking from him the inclosure & allotment of the piece of ground which seems proper for it. The season is now passing. Do not fail to send over the Abricot-peche. Bartram would receive & plant it, and

Digitized by Google

then furnish new plants.—Deaths are Zane, & Thos. Pleasants of 4. Mile Creek. Mr Pendleton is also said to be all but gone. A remarkable marriage is that of Capt Alcock with the widow of Dr. Walker. Your brother and family well. Derieux living in Goochland under great sufferance, and hoping a renovation of the aid promised from his aunt. My sincere affections to Mrs Monroe & to yourself. Adieu.

TO JAMES MADISON. MAD. MSS.

Mar. 6, 96.

I wrote you Feb 21, since which I have recd yours of the same day. Indeed, mine of that date related only to a single article in yours of Jan 31 & Feb 7. I do not at all wonder at the condition in which the finances of the U S are found. Ham's object from the beginning, was to throw them into forms which should be utterly undecypherable. I ever said he did not understand their condition himself, nor was able to give a clear view of the excess of our debts beyond our credits, nor whether we were diminishing or increasing the debt. My own opinion was, that from the commencemt of this government to the time I ceased to attend to the subject, we had been increasing our debt about a million of D. annually. If mr. Gallatin would undertake to reduce this chaos to order, present us with a clear view of our finances, & put them into a form as simple as they will admit, he will merit immortal honor. The accounts of the U S ought to be, and may be made as simple as those of a common

Digitized by Google

farmer, and capable of being understood by common farmers.

Disapproving, as I do, of the unjustifiable largess to the dau'r's of the C de Grasse, I will certainly not propose to rivet it by a second example on behalf of M. de Chastellux's son. It will only be done in the event of such a repetition of the precedent, as will give every one a right to share in the plunder. It is, indeed, surprising you have not yet received the British treaty in form. I presume you would never receive it were not your co-operation on it necessary. But this will oblige the formal notification of it to you.

I thank you for your information respecting Lownes. There is one article still necessary to be known from mr Howell. Lownes began with credit of 90. days from the time of the departure of the nailrod from Philadelphia (not his delivery of it to the vessel; for that makes a difference sometimes of many weeks) but he afterwards reduced it to 60. days. What would be mr. Howell's credits? I know that credit in Virginia startle a merchant in Philadelphia; but I presume that mr. Howell could have confidence enough in me (tho not personally known to him) to make a trial, & govern himself afterwards according to the result, & to the punctuality with which he would receive his remittances. I wish to know this, tho I am not yet decided to drop Lownes, on account of his being a good man, & I like much to be in the hands of good men. There is great pleasure in unlimited confidence. My consumption has now advanced

Digitized by Google

from 3. to 4. tons a quarter. I call for a quarter's supply at once, so that the last quarter's supply is always paid for before the next is called for, or at the very time.—The Spanish treaty will have some disagreeable features, seeds of chicanery & eternal broils, instead of peace & friendship. At a period not long before that, they had been ready to sign one giving us vastly more than we had ever contemplated; particularly in our intercourse with their W. Indies.—I by no means think of declining the work we have spoken of. On the contrary, I wish with ardor to begin it, since the change of form into which I propose to put it: the first ideas had always oppressed me from a consciousness of my want both of talents & materials to execute it. But it will be impossible for a year to come: and I am not certain whether, even after the present year, I shall not be obliged to put my farms under such direction as that I should be considered as not here as to them, while I should be here as to my papers.

My salutations to mrs. Madison, friendly esteem to mr. Giles, Page, &c.

P. S. Have you considered all the consequences of your proposition respecting post roads? I view it as a source of boundless patronage to the executive, jobbing to members of Congress & their friends, and a bottomless abyss of public money. You will begin by only appropriating the surplus of the post office revenues; but the other revenues will soon be called into their aid, and it will be a scene of eternal scramble among the members, who can get the most

Digitized by Google

money wasted in their State; and they will always get most who are meanest. We have thought, hitherto, that the roads of a State could not be so well administered even by the State legislature as by the magistracy of the county, on the spot. What will it be when a member of N H is to mark out a road for Georgia? Does the power to *establish* post roads, given you by Congress, mean that you shall *make* the roads, or only *select* from those already made, those on which there shall be a post? If the term be equivocal, (& I really do not think it so,) which is the safest construction? That which permits a majority of Congress to go to cutting down mountains & bridging of rivers, or the other, which if too restricted may refer it to the states for amendment, securing still due measure & proportion among us, and providing some means of information to the members of Congress tantamount to that ocular inspection, which, even in our county determinations, the magistrate finds cannot be supplied by any other evidence? The fortification of harbors were liable to great objection. But national circumstances furnished some color. In this case there is none. The roads of America are the best in the world except those of France & England. But does the state of our population, the extent of our internal commerce, the want of sea & river navigation, call for such expense on roads here, or are our means adequate to it? Think of all this, and a great deal more which your good judgment will suggest, and pardon my freedom.

Digitized by Google

TO WILLIAM B. GILES. J. MSS.

MONTICELLO, Mar 19, 96.

I know not when I have received greater satisfaction than on reading the speech of Dr. Lieb, in the Pennsylvania Assembly. He calls himself a new member. I congratulate honest republicanism on such an acquisition, and promise myself much from a career which begins on such elevated ground. We are in suspense here to see the fate and effect of mr. Pitt's bill against democratic societies. I wish extremely to get at the true history of this effort to suppress freedom of meeting, speaking, writing and printing. Your acquaintance with Sedgwick will enable you to do it. Pray get from him the outlines of the bill he intended to have brought in for this purpose. This will enable us to judge whether we have the merit of the invention; whether we were really beforehand with the British minister on this subject; whether he took his hint from our proposition, or whether the concurrence in the sentiment is merely the result of the general truth that great men will think alike and act alike, tho without intercommunication. I am serious in desiring extremely the outlines of the bill intended for us. From the debates on the subject of our seamen, I am afraid as much harm as good will be done by our endeavors to arm our seamen against impressments. It is proposed I observe to register them & give them certificates of citizenship to protect them from foreign impressment. But these certificates will be lost in a thousand ways; a sailor will neglect to take his certificate; he is wet

Digitized by Google

twenty times in a voyage; if he goes ashore without, it, he is impressed; if with it, he gets drunk, it is lost, stolen from him, taken from him, and then the want of it gives authority to impress, which does not exist now. After ten years' attention to the subject, I have never been able to devise anything effectual, but that the circumstance of an American bottom be made *ipso facto*, a protection for a number of seamen porportioned to her tonnage; to oblige American captains when called on by foreign officers, to parade the men on deck, which would show whether they exceeded their own quota, and allow the foreign officers to send 2. or 3. persons aboard and hunt for any suspected to be concealed. This, mr. Pinckney was instructed to insist upon with Great Britain; to accept of nothing short of it; and, most especially, not to agree that a certificate of citizenship should be requirable from our seamen; because it would be made a ground for the authorized impressment of them. I am still satisfied that such a protection will place them in a worse situation than they are at present. It is true, the British minister has not shown any disposition to accede to my proposition: but it was not totally rejected; and if he still refuses, lay a duty of 1 d. sterling a yard on British oznabrigs, to make a fund for paying the expenses of the agents you are obliged to employ to seek out our suffering seamen. I congratulate you on the arrival of mr. Ames & the British treaty. The newspapers had said they would arrive together. We have had a fine winter. Wheat looks well. Corn is scarce and dear. 22/ here, 30/

Digitized by Google

in Amherst. Our blossoms are but just opening. I have begun the demolition of my house, and hope to get through its re-edification in the course of the summer. But do not let this discourage you from calling on us if you wander this way in the summer. We shall have the eye of a brick-kiln to poke you into, or an Octagon to air you in. Adieu affectionately.

TO JAMES MONROE. MON. MSS.

MONTICELLO Mar. 21. 96.

DEAR SIR,—I wrote you on the 2d inst. and now take the liberty of troubling you in order to have the inclosed letter to Mr Gautier safely handed to him. I will thank you for information that it gets safely to hand, as it is of considerable importance to him, to the U S. to the state of Virginia, & to myself, by conveying to him the final arrangement of the accounts of Grand & Co. with all those parties.

Mr Jones happened fortunately to come into our neighborhood a few days after the date of my last, and ordered the proper ground to be inclosed & reserved for trees for you. My gardener is this day gone to plant such as we had, which will serve for a beginning. We shall engraft more for you this spring & plant them the next.

The British treaty has been formally at length laid before Congress. All America is a tip-toe to see what the H. of Representatives will decide on it. We conceive the constitutional doctrine to be that tho' the P. & Senate have the general power of

Digitized by Google

making treaties yet whenever they include in a treaty matters confided by the constitution to the three branches of legislature, an act of legislation will be requisite to confirm these articles, and that the H. of Repr. as one branch of the legislature are perfectly free to pass the act or to refuse it, governing themselves by their own judgment whether it is for the good of their constituents to let the treaty go into effect or not. On the precedent now to be set will depend the future construction of our constitution, and whether the powers of legislation shall be transferred from the P. Senate & H. of R. to the P. Senate & Piarningo or any other Indian, Algerine or other chief. It is fortunate that the first decision is to be in a case so palpably atrocious as to have been predetermined by all America.—The appointm^te^ of Elsworth C. J. and Chace one of the judges is doubtless communicated to you. My friendly respects to mrs Monroe. Adieu affectionately.

TO JAMES MADISON. MAD. MSS.

Mar. 27, 96.

Yours of the 13th is received. I am enchanted with mr. Gallatin's speech in Bache's paper of Mar. 14. It is worthy of being printed at the end of the Federalist, as the only rational commentary on the part of the constitution to which it relates. Not that there may not be objections, and difficult ones, to it, and which I shall be glad to see his answers to; but if they are never answered, they are more easily to be gulped down than those which lie to the doc-

Digitized by Google

trines of his opponents, which do in fact annihilate the whole of the powers given by the constitution to the legislature. According to the rule established by usage & common sense, of construing one part of the instrument by another, the objects on which the P & S may exclusively act by treaty are much reduced, but the field on which they may act with the sanction of the legislature, is large enough; and I see no harm in rendering their sanction necessary, and not much harm in annihilating the whole treaty-making power, except as to making peace. If you decide in favor of your right to refuse co-operation in any case of treaty, I should wonder on what occasion it is to be used, if not on one where the rights, the interest, the honor & faith of our nation are so grossly sacrificed; where a faction has entered into a conspiracy with the enemies of their country to chain down the legislature at the feet of both; where the whole mass of your constituents have condemned this work in the most unequivocal manner, and are looking to you as their last hope to save them from the effects of the avarice & corruption of the first agent, the revolutionary machinations of others, and the incomprehensible acquiescence of the only honest man who has assented to it. I wish that his honesty and his political errors may not furnish a second occasion to exclaim, "curse on his virtues, the 've undone his country."— Cold weather, mercury at 26. in the morning. Corn fallen at Richmond to 20/—stationary here; Nicholas sure of his election; R. Jouett and Jo. Monroe in competition for the other vote of the county. Affections to mrs. M. and yourself. Adieu.

Digitized by Google

TO JAMES MADISON. MAD. MSS.

Apr. 17, 1796.

DEAR SIR,—Yours of the 4th came to hand the day before yesterday. I have turned to the Conventional history, and enclose you an exact copy of what is there on the subject you mentioned. I have also turned to my own papers, & send you some things extracted from them, which shew that the recollection of the P has not been accurate, when he supposed his own opinion to have been uniformly that declared in his answer of Mar 30. The records of the Senate will vouch for this. * * *

Extract, verbatim, from last page but one & the last page.

"Mr. King suggested that the journals of the Convention should be either destroyed, or deposited in the custody of the President. He thought, if suffered to be made public, a bad use would be made of them by those who would wish to prevent the adoption of the constitution.

"Mr. Wilson preferred the 2d expedient. He had at one time liked the first best; but as false suggestions may be propagated, it should not be made impospossible to contradict them.

"A question was then put on depositing the journals & other papers of the Convention in the hands of the President, on which N H, ay, M, ay, Ct, ay, N J, ay, Penna, ay, Del, ay, Md, no, Virga, ay, N C, ay, S C, ay, Georgia, ay. This negative of Maryland was occasioned by the language of the instructions to the Deputies of that state, which required them to report to the state the *proceedings* of the Convention.

"The President having asked what the Convention meant should be done with the journals, &c., whether copies were to be allowed to the members, if applied for, it was resolved *nem. con.* 'that he retain the journals & other papers subject to the order of the Congress, if ever formed under the Constitution.'

"The members then proceeded to sign the instrument, &c."

"In the Senate, Feb 1, 1791.

"The commee, to whom was referred that part of the speech of the Prt of the U S, at the opening of the session, which relates to the commerce of the Mediterranean, & also the letter from the Secy of state, dated 20 Jan, 1791, with the papers accompanying the same, reported: whereupon,

"*Resolved*, that the Senate do advise & consent, that the Pr of the U S take

Digitized by Google

such measures as he may think necessary for the redemption of the citizens of the U S, now in captivity at Algiers, provided the expense shall not exceed 40,000. Dolls, & also, that measures be taken to confirm the treaty now existing between the U S and the Emperor of Morocco."

The above is a copy of a resoln of Senate, referred to me by the Pt, to prepare an answer to, and I find immediately following this, among my papers, a press copy, from an original written fairly in my own hand, ready for the P's signature, & to be given in to the Senate, the following answer:

"Gent of the Senate,—

"I will proceed to take measures for the ransom of our citizens in captivity at Algiers, in conformity with your resoln of advice of the 1st inst, so soon as the moneys necessary shall be appropriated *by the Legislature*, & shall be in readiness.

"The recognition of our treaty with the new Emperor of Morocco requires also previous appropriation & provision. The importance of this last to the liberty & property of our citizens, induces me to urge it on your earliest attention."

Tho' I have no memm. of the delivery of this to the Senate, yet I have not the least doubt it was given in to them, & will be found among their records.

I find among my press copies, the following in my hand writing:

"The committee to report, that the President does not think that circumstances will justify, in the present instance, his entering into *absolute* engagements for the ransom of our captives in Algiers, nor calling for money from the treasury, nor raising it by loan, without previous authority from *both branches* of the legislature."

"Apr 9, 1792."

I do not recollect the occasion of the above paper with certainty; but I think there was a comme appointed by the Senate to confer with the P on the

Digitized by Google

subject of the ransom, and to advise what is there declined, and that a member of the commee advising privately with me as to the report they were to make to the House, I minuted down the above, as the substance of what I conceived to be the proper report, after what had passed with the Prt, and gave the original to the member, preserving the press copy. I think the member was either mr. Izard or mr. Butler, and have no doubt such a report will be found on the files of the Senate.

On the 8th of May following, in consequence of questions proposed by the Prt to the Senate, they came to a resolution, on which a mission was founded. * * *

TO PHILLIP MAZZEI. J. MSS.

MONTICELLO, Apr. 24, 1796.

MY DEAR FRIEND,—Your letter of Oct. 26. 1795. is just received and gives me the first information that the bills forwarded for you to V. S. & H. of Amsterdam on V. Anderson for £39-17-10½ & on George Barclay for £70-8-6 both of London have been protested. I immediately write to the drawers to secure the money if still unpaid. I wonder I have never had a letter from our friends of Amsterdam on that subject as well as acknoleging the subsequent remittances. Of these I have apprised you by triplicates, but for fear of miscarriage will just mention that on Sep. 8. I forwarded them Hodgden's bill on Robinson Saunderson & Rumney of Whitehaven for £300. and Jan. 31. that of the same on the same for

Digitized by Google

£137-16-6 both received from mr. Blair for your stock sold out. I have now the pleasure to inform you that Dohrman has settled his account with you, has allowed the New York damage of 20. per cent for the protest, & the New York interest of 7. per cent. and after deducting the partial payments for which he held receipts the balance was three thousand & eighty-seven dollars which sum he has paid into mr. Madison's hands & as he (mr. Madison) is now in Philadelphia, I have desired him to invest the money in good bills on Amsterdam & remit them to the V. Staphorsts & H. whom I consider as possessing your confidence as they do mine beyond any house in London. The pyracies of that nation lately extended from the sea to the debts due from them to other nations renders theirs an unsafe medium to do business through. I hope these remittances will place you at your ease & I will endeavor to execute your wishes as to the settlement of the other small matters you mention: tho' from them I expect little. E. R.[1] is bankrupt, or tantamount to it. Our friend M. P.[2] is embarrassed, having lately sold the fine lands he lives on, & being superlatively just & honorable I expect we may get whatever may be in his hands. Lomax is under greater difficulties with less means, so that I apprehend you have little more to expect from this country except the balance which will remain for Colle after deducting the little matter due to me, & what will be recovered by Anthony. This will be decided this summer.

[1] Edmund Randolph. [2] Mann Page.

Digitized by Google

I have written to you by triplicates with every remittance I sent to the V. S. & H. & always recapitulated in each letter the objects of the preceding ones. I enclosed in two of them some seeds of the squash as you desired. Send me in return some seeds of the winter vetch, I mean that kind which is sewn in autumn & stands thro the cold of winter, furnishing a crop of green fodder in March. Put a few seeds in every letter you may write to me. In England only the spring vetch can be had. Pray fail not in this. I have it greatly at heart.[1]

[1] From this point begins the extract which is known as the "Mazzei letter." It originally appeared in a Florentine paper, from the Italian text was translated into French and printed in the *Moniteur*, and from that was retranslated into English, first appearing in America in *The Minerva* of May 14, 1797, as follows:

"*Translated for the Minerva, from the Paris Monitor, of January 25.*

"FLORENCE, January 1, 1797.

"From Mr. Jefferson, late Minister of the United States in France, and Secretary of the Department of Foreign Affairs, to a Citizen of Virginia.

"This letter literally translated is addressed to M. Mazzei, author of Researches, historical and political, upon the United States of America, now resident in Tuscany.

'Our political situation is prodigiously changed since you left us. Instead of that noble love of liberty, and that republican government, which carried us triumphantly thro the dangers of the war, an Anglo-Monarchio-Aristocratic party has arisen. Their avowed object is to impose on us the *substance*, as they have already given us the *form*, of the British government. Nevertheless, the principal body of our citizens remain faithful to republican principles. All our proprietors of lands are friendly to those principles, as also the mass of men of talents. We have against us (republicans) the *Executive Power*, the *Judiciary Power*, (two of the three branches of our government) *all the officers of government, all who are seeking offices, all timid men who prefer the calm of despotism to the tempestuous sea of liberty, the British merchants and the Americans who trade on British capitals, the speculators, persons interested in the bank and the public funds.* [Establishments invented with views of corruption, and to assimilate us to the British model in its corrupt parts.]

Digitized by Google

The aspect of our politics has wonderfully changed since you left us. In place of that noble love of liberty, & republican government which carried us triumphantly thro' the war, an Anglican monarchical, & aristocratical party has sprung up, whose avowed object is to draw over us the substance, as they have already done the forms, of the British government. The main body of our citizens, however, remain true to their republican principles; the whole landed interest is republican, and so is a great mass of talents. Against us are the Executive, the Judiciary, two out

'I should give you a fever, if I should name the apostates who have embraced these heresies; men who were Solomons in council, and Sampsons in combat, but whose hair has been cut off by the whore England. [In the original, par la catin Angleterre, probably alluding to the woman's cutting off the hair of Sampson and his loss of strength thereby.]

'They would wrest from us the liberty which we have obtained by so much labor and peril; but we shall preserve it. Our mass of weight and riches is so powerful, that we have nothing to fear from any attempt against us by force. It is sufficient that we guard ourselves, and that *we break the lilliputian ties* by which they have bound us, in the first slumbers which succeeded our labors. It suffices that we arrest the progress of that system of ingratitude and injustice towards France, from which they would alienate us, to bring us under British influence, &c.'

"Thus far the letter; to which are subjoined, in the French paper, the following remarks:

'This interesting letter from one of the most virtuous and enlightened citizens of the United States, explains the conduct of the Americans in regard to France. It is certain that of all the neutral and friendly powers, there is none from which France had a right to expect more interest and succours than from the United States. *She is their true mother country, since she has assured to them their liberty and independence.* Ungrateful children, instead of abandoning her, *they ought to have* armed in her defense. But if imperious circumstances had prevented them from openly declaring for the Republic of France, they ought at least to have made demonstrations and excited apprehensions in England, that at some moment or other they should declare themselves. This fear alone would have been sufficient to force the cabinet of London to make peace. It is clear that a war with the United States would strike a terrible

Digitized by Google

of three branches of the legislature, all the officers of the government, all who want to be officers, all timid men who prefer the calm of despotism to the boisterous sea of liberty, British merchants & Americans trading on British capitals, speculators & holders in the banks & public funds, a contrivance invented for the purposes of corruption, & for assimilating us in all things to the rotten as well as the sound parts of the British model. 'It would give you a fever were I to name to you the apostates who have gone over to these heresies, men who were Samsons in the field & Solomons in the council, but who have had their heads shorn by the harlot England.' In short, we are likely to preserve the liberty we have obtained only

blow at the commerce of the English, would give them uneasiness for the preservation of their possessions on the American continent, and deprive them of the means of conquering the French and Dutch colonies.

'Equally ungrateful and impolitic, the Congress hastens to encourage the English, that they might pursue in tranquility their war of extermination against France and to invade the Colonies and the commerce of England.* They sent to London, a minister, Mr. Jay, known by his attachment to England, and his personal relations to Lord Grenville, and he conducted suddenly a treaty of Commerce which united them with Great Britain, more than a treaty of alliance.

'Such a treaty, under all the peculiar circumstances, and by the consequences which it must produce, is *an act of hostility against France*. The French government in short has testified the resentment of the French nation, by breaking off communication with *an ungrateful and faithless ally*, until she shall return to a more just and benevolent conduct. Justice and sound policy equally approve this measure of the French government. There is no doubt it will give rise, in the United States, to discussions which may afford a *triumph to the party of good republicans, the friends of France*.

'Some writers in disapprobation of this wise and necessary measure of the directory, maintain that in the United States, the French have for partizans only certain demagogues who aim to overthrow the existing government. But

* There seems to be a mistake in the original in this passage, or we mistake the construction. Translator.

Digitized by Google

by unremitting labors & perils. But we shall preserve them ; and our mass of weight & wealth on the good side is so great, as to leave no danger that force will ever be attempted against us. We have only to awake and snap the Lilliputian cords with which they have been entangling us during the first sleep which succeeded our labors. I will forward the testimonial of the death of mrs. Mazzei, which I can do the more incontrovertibly as she is buried in my grave yard, and I pass her grave daily. The formalities of the proof you require, will occasion delay. John Page & his son Mann are well. The father remarried to a lady from N. York. Beverley Randolph e la sua con-

their imprudent falsehoods convince no one, and prove only what is too evident, that they use the liberty of the press, to serve the enemies of France.'

" [The foregoing letter wears all the external marks of authenticity. And yet it seems hardly possible an American could be capable of writing such a letter. As the letter is circulating in Europe, we deem it just, if a forgery, to give Mr. Jefferson an opportunity to disavow it.] "

Upon this publication in America, and Jefferson's failure to repudiate it, he was savagely attacked by the Federal press. He attempted no public explanation or palliation, but to his friends (see *post.*, letter to Madison, June 3, 1797) he sought to blame the translation for the stronger expressions, and many years later, in his letter to Van Buren (June 24, 1824) he tried to explain away the apparent allusions to Washington, even becoming insincere in his endeavors to prove that his references did not allude to his former chief. So far as this point is concerned, it is only necessary to note that the criticism on Washington in this letter is far less severe than Jefferson was writing to others in these years, and that Washington himself took the references so wholly to himself, that from the publication of this letter he ceased all correspondence and intercourse with his former secretary. Nor is it probable that Jefferson's attempt to discredit the public version at the time was so much a repudiation of what he had written, as it was a political desire to avoid the unpopularity of being known as the critic of one whom he had himself to acknowledge had such personal popularity " that the people will support him in whatever he will do or will not do, without appealing to their own reason or to anything but their feelings toward him."

Digitized by Google

sorte living & well. Their only child married to the 2d of T. M. Randolph. The eldest son you know married my eldest daughter, is an able learned & worthy character, but kept down by ill health. They have two children & still live with me. My younger daughter well. Colo. Innis is well, & a true republican still as are all those before named. Colo. Monroe is our M. P. at Paris a most worthy patriot & honest man. These are the persons you inquire after. I begin to feel the effects of age. My health has suddenly broke down, with symptoms which give me to believe I shall not have much to encounter of the *tedium vitæ*. While it remains, however, my heart will be warm in it's friendships, and among these, will always foster the affection with which I am, dear Sir, your friend and servant.

CONTRACT.

J. MSS.

This indenture made on the 12th day of May, 1796, between Thomas Jefferson of Virginia of the one part and Nicholas and Jacob Vanstaphorst and Hubbard of Amsterdam, bankers, of the other part, witnesseth that whereas the sd Thomas is indebted to them in the two sums of one thousand and four dollars fifty-four cents, and eight hundred and eighty-eight dollars sixty seven cents, making together eighteen hundred ninety three dollars twenty one cents for so much paid for him by them to the United States, for the purpose of securing the said whole sum last mentioned, to them, and in consideration that they will forbear to demand by process in law one third of the sd sum & interest till July 1797, one other third & interest till July 1798. and one other third & interest till July 1799. And for the further considn. of five shillings to him by them paid he the sd Thomas hath given granted & conveyed to the sd Nicolas and Jacob Van Staphorst

Digitized by Google

& Hubbard the following slaves, to wit, Ned and Jenny his wife & Ned, Fanny, Dick, Gill & Scilla their children, Rachel & Nancy & Abraham her children, old Betty and Val. residing at the lands of the sd Thomas in Albermarle called Tufton, and Bagwell & Minerva his wife and Ursulla, and Mary and Virginia their children residing on his lands in Albermarle called Lago, in all seventeen, to have & to hold the sd slaves to the sd Nicholas & Jacob Van Staphorst & Hubbard their heirs exrs. & admrs. Provided that if the sd Thomas shall pay to the sd. Nicholas & Jacob Van Staphorst & Hubbard one third of the sd debt & interest before July, 1797. one other third before July 1798. and one-third before July 1799. or if they should demand in law earlier paiment then these presents to be void. In witness whereof the sd Thomas hath set his hand and seal the day and year first above written.

TO JAMES MONROE.

MON. MSS.

June 12, 1796.

The dreadful misfortune of poor Derieux, who has lost his house & all it's contents by fire occasions the present letter to cover one from him to his aunt. I send it open for your perusal. Be so good as to seal & send it. I hope she will, if she has not done it already, send him some relief.

I received only 3. weeks ago your favor of Nov. 18. It has been 5. months on it's way to me. The reason for engaging laborers to prepare for your buildings was then over. They are to be got only about the new year's day. To this is added that the plan you promised to send me is not come. It is perhaps not unfortunate that nothing was begun this year. Corn @ 25/ to 30/ a barrel would have rendered building this year extremely dear. It does so to me who had

Digitized by Google

engaged in it before that circumstance was foreseen. If your plan arrives, I will consult with Mr. Jones, and according to the result of our Consultation make preparations in the winter for the next year's work.

Congress has risen. You will have seen by their proceedings the truth of what I always observed to you, that one man outweighs them all in influence over the people who have supported his judgment against their own & that of their representatives. Republicanism must lie on it's oars, resign the vessel to it's pilot, and themselves to the course he thinks best for them.—I had always conjectured, from such facts as I could get hold of, that our public debt was increasing about a million of dollars a year. You will see by Gallatin's speeches that the thing is proved. You will see further that we are compleatly saddled & bridled, & that the bank is so firmly mounted on us that we must go where they will guide. They openly publish a resolution that the national property being increased in value they must by an increase of circulating medium furnish an adequate representation of it, and by further additions of active capital promote the enterprises of our merchants. It is supposed that the paper in circulation in and around Philadelphia amounts to 20. millions of Doll. and that in the whole union to 100. millions. I think the last too high. All the imported commodities are raised about 50 per cent. by the depreciation of the money. Tob^{o} shares the rise because it has no competition abroad. Wheat has been extravagantly high from other causes. When these cease, it must fall to it's

Digitized by Google

antient nominal price notwithstanding the depreciation of that, because it must contend at market with foreign wheats. Lands have risen within the notice of the papers, and as far out as that can influence. They are not risen at all here. On the contrary they are lower than they were 20. years ago. Those I had mentioned to you, to wit, Carter's & Colle were sold before your letter came. Colle @ two dollars the acre. Carter's had been offered me for two French crowns (13/2). Mechanics here get from a dollar to a dollar & a half a day, yet are much worse off than at old prices.—Volney is with me at present. He is on his way to the Illinois. Some late appointments judiciary & diplomatic you will have heard and stared at. The death of R. Jouett is the only small news in our neighborhood. Our best affections attend Mrs. Monroe, Eliza & yourself.

TO GEORGE WASHINGTON. J. MSS.

MONTICELLO, June 19, 1796.

DEAR SIR,—In Bache's Aurora, of the 9th inst which came here by the last post, a paper appears, which, having been confided, as I presume, to but few hands, makes it truly wonderful how it should have got there. I cannot be satisfied as to my own part, till I relieve my mind by declaring, and I attest everything sacred & honorable to the declaration, that it has got there neither thro' me nor the paper confided to me. This has never been from under my own lock & key, or out of my own hands. No mortal ever

Digitized by Google

knew from me, that these questions had been proposed. Perhaps I ought to except one person, who possesses all my confidence, as he has possessed yours. I do not remember, indeed, that I communicated it even to him. But as I was in the habit of unlimited trust & council with him, it is possible I may have read it to him; no more: for the quire of which it makes a part was never in any hand but my own, nor was a word ever copied or taken down from it, by any body. I take on myself, without fear, any divulgation on his part. We both know him incapable of it. From myself, then, or my paper, this publication has never been derived. I have formerly mentioned to you, that from a very early period of my life, I had laid it down as a rule of conduct, never to write a word for the public papers. From this, I have never departed in a single instance; & on a late occasion, when all the world seemed to be writing, besides a rigid adherence to my own rule, I can say with truth, that not a line for the press was ever communicated to me, by any other, except a single petition referred for my correction; which I did not correct, however, though the contrary, as I have heard, was said in a public place, by one person through error, thro' malice by another. I learn that this last has thought it worth his while to try to sow tares between you & me, by representing me as still engaged in the bustle of politics, & in turbulence & intrigue against the government. I never believed for a moment that this could make any impression on you, or that your knowledge of me would not overweigh the slander of an intriguer,

Digitized by Google

dirtily employed in sifting the conversations of my table, where alone he could hear of me; and seeking to atone for his sins against you by sins against another, who had never done him any other injury than that of declining his confidences. Political conversations I really dislike, & therefore avoid where I can without affectation. But when urged by others, I have never conceived that having been in public life requires me to belie my sentiments, or even to conceal them. When I am led by conversation to express them, I do it with the same independence here which I have practiced everywhere, and which is inseparable from my nature. But enough of this miserable tergiversator, who ought indeed either to have been of more truth, or less trusted by his country.[1]

While on the subject of papers, permit me to ask one from you. You remember the difference of opinion between Hamilton & Knox on the one part, & myself on the other, on the subject of firing on the little Sarah, and that we had exchanged opinions & reasons in writing. On your arrival in Philadelphia I delivered you a copy of my reasons, in the presence of Colo. Hamilton. On our withdrawing he told me he had been so much engaged that he had not been able to prepare a copy of his & General Knox's for you, and that if I would send you the one he had given me, he would replace it in a few days. I immediately sent it to you, wishing you should see both sides of the subject together. I often after applied

[1] Here, in the margin of the copy, is written, apparently at a later date, "General H. Lee."

Digitized by Google

to both the gentlemen but could never obtain another copy. I have often thought of asking this one, or a copy of it, back from you, but have not before written on subjects of this kind to you. Tho I do not know that it will ever be of the least importance to me, yet one loves to possess arms, tho they hope never to have occasion for them. They possess my paper in my own handwriting. It is just I should possess theirs. The only thing amiss is, that they should have left me to seek a return of the paper, or a copy of it, from you.

I put away this disgusting dish of old fragments, & talk to you of my peas & clover. As to the latter article, I have great encouragement from the friendly nature of our soil. I think I have had, both the last & present year, as good clover from common grounds, which had brought several crops of wheat & corn without ever having been manured, as I ever saw on the lots around Philadelphia. I verily believe that a yield of 34. acres, sowed on wheat April was twelvemonth, has given me a ton to the acre at it's first cutting this spring. The stalks extended, measured 3½ feet long very commonly. Another field, a year older, & which yielded as well the last year, has sensibly fallen off this year. My exhausted fields bring a clover not high enough for hay, but I hope to make seed from it. Such as these, however, I shall hereafter put into peas in the broadcast, proposing that one of my sowings of wheat shall be after two years of clover, & the other after 2. years of peas. I am trying the white boiling pea of Europe (the Al-

Digitized by Google

bany pea) this year, till I can get the hog pea of England, which is the most productive of all. But the true winter vetch is what we want extremely. I have tried this year the Caroline drill. It is absolutely perfect. Nothing can be more simple, nor perform it's office more perfectly for a single row. I shall try to make one to sow four rows at a time of wheat or peas, at 12. inches distance. I have one of the Scotch threshing machines nearly finished. It is copied exactly from a model mr. Pinckney sent me, only that I have put the whole works (except the horse wheel) into a single frame, movable from one field to another on the two axles of a wagon. It will be ready in time for the harvest which is coming on, which will give it a full trial. Our wheat and rye are generally fine, and the prices talked of bid fair to indemnify us for the poor crops of the two last years.

I take the liberty of putting under your cover a letter to the son of the M. de la Fayette, not exactly, knowing where to direct to him.

With very affectionate compliments to mrs. Washington, I have the honor to be, with great & sincere esteem & respect, Dear Sir, your most obedient & most humble servant.

TO JONATHAN WILLIAMS. J. MSS.

MONTICELLO, July 3, 1796.

DEAR SIR,—I take shame to myself for having so long left unanswered your valuable favor on the subject of the mountains. But in truth, I am become

Digitized by Google

lazy to everything except agriculture. The preparations for harvest, and the length of the harvest itself, which is not yet finished, would have excused the delay however, at all times & under all dispositions. I examined, with great satisfaction, your barometrical estimate of the heights of our mountains; and with the more, as they corroborated conjectures on this subject which I had made before. My estimates had made them a little higher than yours (I speak of the blue ridge). Measuring with a very nice instrument the angle subtended vertically by the highest mountain of the Blue ridge opposite to my own house, a distance of about 18. miles southwestward, I made the highest about 2000. f. as well as I remember, for I can no longer find the notes I made. You make the south side of the mountain near Rockfish gap, 1722. f. above Woods'. You make the other side of the mountain 767 f. Mr. Thomas Lewis dec'd, an accurate man, with a good quadrant, made the north side of the highest mountain opposite my house something more (I think) than 1000. f.; but the mountain estimated by him & myself is probably higher than that next Rockfish gap. I do not remember from what principles I estimated the peaks of Otter at 4000. f.; but some late observations of Judge Tucker's coincided very nearly with my estimate. Your measures confirm another opinion of mine, that the blue ridge, on it's south side, is the highest ridge in our country compared with it's base. I think your observations on these mountains well worthy of being published, and hope you will not

Digitized by Google

scruple to let them be communicated to the world.— You wish me to present to the Philosophical society the result of my philosophical researches since my retirement. But, my good Sir, I have made researches into nothing but what is connected with agriculture. In this way, I have a little matter to communicate, and will do it ere long. It is the form of a mould-board *of least resistance.* I had some years ago conceived the principles of it, and I explained them to mr. Rittenhouse. I have since reduced the thing to practice, and have reason to believe the theory fully confirmed. I only wish for one of those instruments used in England for measuring the force exerted in the draughts of different ploughs, &c., that I might compare the resistance of my mould-board with that of others. But these instruments are not to be had here. In a letter of this date to mr. Rittenhouse, I mention a discovery in animal history, very signal indeed, of which I shall lay before the society the best account I can, as soon as I shall have received some other materials which are collecting for me.

I have seen, with extreme indignation, the blasphemies lately vended against the memory of the father of American philosophy. But his memory will be preserved and venerated as long as the thunders of heaven shall be heard or feared.

With good wishes to all of his family, and sentiments of great respect & esteem for yourself, I am, dear Sir, your most obedient, and most humble servant.

Digitized by Google

TO JAMES MONROE. MON. MSS.

July 10. 96.

DEAR SIR,—Your brother received a letter from you a few days since in which he says you mention having received but two from me since you left us. I have not been a very troublesome correspondent to you, I acknoledge, but have written letters of the following dates to you, to wit 1794. Mar. 11. Apr. 24. —1795. May 26. Sep. 6.—1796 June 12. In this last I acknoleged the receipt of yours of Nov. 18. and mentioned that your plan was not yet come to hand, which with the difficulty & expence of getting laborers at this season would prevent beginning your works till the new year. I have been in daily expectation of hearing of the arrival of Mr. Short, having no news from him since his leaving Madrid for Paris. I am often asked when you will return. My answer is when Eliza is 14. years old. Longer than that you will be too wise to stay. Till then I presume you will retain a post which the public good requires to be filled by a republican. I put under your cover some letters from M. de Liancourt. I wish the present government would permit his return. He is an honest man, sincerely attached to his Country, zealous against its enemies, and very desirous of being permitted to live retired in the bosom of his family. My sincere affection for his connections at Rocheguyon, and most especially for Madame D'anville would render it a peculiar felicity to me to be any ways instrumental in having him restored to them. I have no means however unless you can interpose

Digitized by Google

without giving offence. If you can, I should be much pleased. The Campaign of Congress is closed, tho' the Anglomen have in the end got their treaty through, and so far have triumphed over the cause of republicanism. Yet it has been to them a dear bought victory. It has given the most radical shock to their party which it has ever received: and there is no doubt they would be glad to be replaced on the ground they possessed the instant before Jay's nomination extraordinary. They see that nothing can support them but the Colossus of the President's merits with the people, and the moment he retires, that his successor, if a Monocrat, will be overborne by the republican sense of his Constitutents, if a republican he will of course give fair play to that sense, and lead things into the channel of harmony between the governors & governed. In the mean time, patience. —Among your neighbors there is nothing new. Mr. Rittenhouse is lately dead. Governor Brook has lost his lady. We have had the finest harvest ever known in this part of the country. Both the quantity & quality of our wheat are extraordinary. We got 15/ a bushel for the last crop, & hope two thirds of that at least for the present one —Most assiduous court is paid to P. H. He has been offered every thing which they knew he would not accept. Some impression is thought to be made, but we do not believe it is radical. If they thought they could count on him they would run him for V. P. their first object being to produce a schism in this state.

As it is they will run Mr. Pinckney, in which they

Digitized by Google

regard his southern position rather than his principles. Mr. J. and his advocate Camillus are compleatly treaty-foundered. We all join in love to Mrs. Monroe & Elvie, and accept for yourself assurances of sincere & affectionate friendship. Adieu.

TO COLONEL JOHN STUART. J. MSS.

MONTICELLO, Nov. 10, 1796.

DEAR SIR,—I have to acknolege the receipt of your last favor, together with the bones of the Great-claw, which accompanied it. My anxiety to obtain a thigh bone is such, that I defer communicating what we have to the Philosophical society, in the hope of adding that bone to the collection. We should then be able to fix the stature of the animal, without going into conjecture & calculation, as we should possess a whole limb, from the haunch bone to the claw inclusive. Whenever you announce to me that the recovery of a thigh bone is desperate, I shall make the communication to the Philosophical society. I think it happy that this incident will make known to them a person so worthy as yourself to be taken into their body, and without whose attention to these extraordinary remains, the world might have been deprived of the knowledge of them. I cannot, however, help believing that this animal, as well as the mammoth, are still existing. The annihilation of any species of existence, is so unexampled in any parts of the economy of nature which we see, that we have a right to conclude, as to the parts we do not see, that

Digitized by Google

the probabilities against such annihilation are stronger than those for it. In hopes of hearing from you, as soon as you can form a conclusion satisfactory to yourself, that the thigh bone will or will not be recovered, I remain, with great respect & esteem, Dear Sir, your most obedient servant.

TO JAMES MADISON. MAD. MSS.

MONTICELLO, Dec. 17, 1796.

Your favor of the 5th came to hand last night. The first wish of my heart was, that you should have been proposed for the administration of the government. On your declining it, I wish any body rather than myself; and there is nothing I so anxiously hope, as that my name may come out either second or third. These would be indifferent to me; as the last would leave me at home the whole year, & the other two-thirds of it. I have no expectation that the Eastern states will suffer themselves to be so much outwitted, as to be made the tools for bringing in P. instead of A. I presume they will throw away their second vote. In this case, it begins to appear possible, that there may be an equal division where I had supposed the republican vote would have been considerably minor. It seems also possible, that the Representatives may be divided. This is a difficulty from which the constitution has provided no issue. It is both my duty & inclination, therefore, to relieve the embarrassment, should it happen; and in that case, I pray you and authorize you fully, to solicit on

Digitized by Google

my behalf that mr. Adams may be preferred. He has always been my senior, from the commencement of my public life, and the expression of the public will being equal, this circumstance ought to give him the preference. And when so many motives will be operating to induce some of the members to change their vote, the addition of my wish may have some effect to preponderate the scale. I am really anxious to see the speech. It must exhibit a very different picture of our foreign affairs from that presented in the adieu, or it will little correspond with my views of them. I think they never wore so gloomy an aspect since the year 83. Let those come to the helm who think they can steer clear of the difficulties. I have no confidence in myself for the undertaking.

We have had the severest weather ever known in November. The thermometer was at 12° here & in Goochland, & I suppose generally. It arrested my buildings very suddenly, when eight days more would have completed my walls, & permitted us to cover in. The drought is excessive. From the middle of October to the middle of December, not rain enough to lay the dust. A few days ago there fell a small rain, but the succeeding cold has probably prevented it from sprouting the grain sown during the drought.

Present me in friendly terms to Messrs. Giles, Venable, Page. Adieu affectionately.

P. S. I enclose a letter for Volney because I do not know where to address to him.

Pray send me Gallatin's view of the finances of the U. S. and Paine's lre to the President if within the compass of a conveyance by post.

Digitized by Google

TO EDWARD RUTLEDGE. J. MSS.

MONTICELLO, Dec. 27, 1796.

MY DEAR SIR,— * * * You have seen my name lately tacked to so much of eulogy & of abuse, that I dare say you hardly thought it meant your old acquaintance of '76. In truth, I did not know myself under the pens either of my friends or foes. It is unfortunate for our peace, that unmerited abuse wounds, while unmerited praise has not the power to heal. These are hard wages for the services of all the active & healthy years of one's life. I had retired after five & twenty years of constant occupation in public affairs, and total abandonment of my own. I retired much poorer than when I entered the public service, and desired nothing but rest & oblivion. My name, however, was again brought forward, without concert or expectation on my part; (on my salvation I declare it.) I do not as yet know the result, as a matter of fact; for in my retired canton we have nothing later from Philadelphia than of the 2d week of this month. Yet I have never one moment doubted the result. I knew it was impossible mr. Adams should lose a vote North of the Delaware, and that the free and moral agency of the South would furnish him an abundant supplement. On principles of public respect I should not have refused; but I protest before my god, that I shall, from the bottom of my heart, rejoice at escaping. I know well that no man will ever bring out of that office the reputation which carries him into it. The honey moon would be as short in that case as in any other, & its moments of extasy would be ransomed by years of torment &

Digitized by Google

hatred. I shall highly value, indeed, the share which I may have had in the late vote, as an evidence of the share I hold in the esteem of my countrymen. But in this point of view, a few votes more or less will be little sensible, and in every other, the minor will be preferred by me to the major vote. I have no ambition to govern men; no passion which would lead me to delight to ride in a storm. *Flumina amo, sylvasque, inglorius.* My attachment to my home has enabled me to make the calculation with rigor, perhaps with partiality, to the issue which keeps me there. The newspapers will permit me to plant my corn, peas, &c., in hills or drills as I please (and my oranges, by-the-bye, when you send them), while our Eastern friend will be struggling with the storm which is gathering over us; perhaps be shipwrecked in it. This is certainly not a moment to covet the helm.

I have often doubted whether most to praise or to blame your line of conduct. If you had lent to your country the excellent talents you possess, on you would have fallen those torrents of abuse which have lately been poured forth on me. So far, I praise the wisdom which has descried & steered clear of a water-spout ahead. But now for the blame. There is a debt of service due from every man to his country, proportioned to the bounties which nature & fortune have measured to him. Counters will pay this from the poor of spirit; but from you, my friend, coin was due. There is no bankrupt law in heaven, by which you may get off with shillings in the pound; with rendering to a single State what you owed to the whole

Digitized by Google

confederacy. I think it was by the Roman law that a father was denied sepulture, unless his son would pay his debts. Happy for you & us, that you have a son whom genius & education have qualified to pay yours. But as you have been a good father in everything else, be so in this also. Come forward & pay your own debts. Your friends, the mr. Pinckneys, have at length undertaken their tour. My joy at this would be complete if you were in gear with them. I love to see honest and honorable men at the helm, men who will not bend their politics to their purses, nor pursue measures by which they may profit, & then profit by their measures. *Au diable les Bougres!* I am at the end of my curse and bottom of my page, so God bless you and yours. Adieu affectionately.

TO JOHN ADAMS.[1]

MONTICELLO, Dec. 28, 1796.

DEAR SIR,—The public & the papers have been much occupied lately in placing us in a point of opposition to each other. I trust with confidence that less of it has been felt by ourselves personally. In the retired canton where I am, I learn little of what is passing: pamphlets I see never: papers but a few; and the fewer the happier. Our latest intelligence from Philadelphia at present is of the 16th inst. but tho' at that date your election to the first magistracy seems not to have been known as a fact,

[1] From the original in the possession of Dr. Thomas Addis Emmet, of New York.

Digitized by Google

yet with me it has never been doubted. I knew it impossible you should lose a vote north of the Delaware, and even if that of Pennsylvania should be against you in the mass, yet that you would get enough South of that to place your succession out of danger. I have never one single moment expected a different issue; & tho' I know I shall not be believed, yet it is not the less true that I have never wished it. My neighbors as my compurgators could aver that fact, because they see my occupations & my attachment to them. Indeed it is impossible that you may be cheated of your succession by a trick worthy the subtlety of your arch-friend of New York who has been able to make of your real friends tools to defeat their and your just wishes. Most probably he will be disappointed as to you; and my inclinations place me out of his reach. I leave to others the sublime delights of riding in the storm, better pleased with sound sleep and a warm birth below, with the society of neighbors, friends & fellow-laborers of the earth, than of spies & sycophants. No one then will congratulate you with purer disinterestedness than myself. The share indeed which I may have had in the late vote, I shall still value highly, as an evidence of the share I have in the esteem of my fellow citizens. But while in this point of view, a few votes less would be little sensible, the difference in the effect of a few more would be very sensible and oppressive to me. I have no ambition to govern men. It is a painful and thankless office. Since the day too on which you signed the treaty of Paris our

Digitized by Google

horizon was never so overcast. I devoutly wish you may be able to shun for us this war by which our agriculture, commerce & credit will be destroyed. If you are, the glory will be all your own; and that your administration may be filled with glory, and happiness to yourself and advantage to us is the sincere wish of one who tho' in the course of our own voyage thro' life, various little incidents have happened or been contrived to separate us, retains still for you the solid esteem of the moments when we were working for our independence, and sentiments of respect & affectionate attachment.[1]

[1] Statement by memory, of a letter I wrote to John Adams; copy omitted to be retained.

MONTICELLO, Dec. 28, 1796.

DEAR SIR,—The public, & the public papers, have been much occupied lately in placing us in a point of opposition to each other. I confidently trust we have felt less of it ourselves. In the retired canton where I live, we know little of what is passing. Pamphlets I see none: papers very few, & the fewer the happier. Our last information from Philada is of the 16th inst. At that date the issue of the late election seems not to have been known as a matter of fact. With me, however, its issue was never doubted. I knew the impossibility of your losing a single vote North of the Delaware; and even if you should lose that of Pennsylva in the mass, you would get enough South of that to make your election sure. I never for a single moment expected any other issue; & tho' I shall not be believed, yet it is not the less true, that I never wished any other. My neighbors, as my compurgators, could aver this fact, as seeing my occupations & my attachment to them. It is possible, indeed, that even you may be cheated of your succession by a trick worthy the subtlety of your arch friend of New York, who has been able to make of your real friends tools for defeating their & your just wishes. Probably, however, he will be disappointed as to you; and my inclinations put me out of his reach. I leave to others the sublime delights of riding in the storm, better pleased with sound sleep & a warmer berth below it, encircled with the society of my neighbors, friends, & fellow laborers of the earth, rather than with spies & sycophants. Still, I shall value highly the share I may have had in the late vote, as a measure of the share I hold in the esteem of my fellow citizens. In this point of view, a few votes less are but little sensible, while a few more would have been in their

Digitized by Google

TO JAMES MADISON. MAD. MSS.

Jan. 1. 97.

Yours of Dec. 19. has come safely. The event of the election has never been a matter of doubt in my mind. I knew that the Eastern states were disciplined in the schools of their town meetings to sacrifice differences of opinion to the great object of operating in phalanx, & that the more free & moral agency practiced in the other states would always make up the supplement of their weight. Indeed the vote comes much nearer an equality than I had expected. I know the difficulty of obtaining belief to one's declarations of a disinclination to honors, & that it is greatest with those who still remain in the world. But no arguments were wanting to reconcile me to a relinquishment of the first office or acquiescence under the second. As to the first it was impossible that a more solid unwillingness settled on full calculation, could have existed in any man's mind, short of the degree of absolute refusal. The only view on which I would have gone into it for awhile was to put our vessel on her republican tack before she should be thrown too much to leeward of her true principles. As to the second, it is the only office in the world about which I am unable to decide in my own mind

effect very sensible & oppressive to me. I have no ambition to govern men. It is a painful and thankless office. And never since the day you signed the treaty of Paris, has our horizon been so overcast. I devoutly wish you may be able to shun for us this war, which will destroy our agriculture, commerce, & credit. If you do, the glory will be all your own. And that your administration may be filled with glory & happiness to yourself, & advantage to us, is the sincere prayer of one, who, tho' in the course of our voyage, various little incidents have happened or been contrived to separate us, yet retains for you the solid esteem of the times when we were working for our independence, and sentiments of sincere respect & attachment.

Digitized by Google

whether I had rather have it or not have it. Pride does not enter into the estimate ; for I think with the Romans that the general of today should be a soldier tomorrow if necessary. I can particularly have no feelings which would revolt at a secondary position to mr. Adams. I am his junior in life, was his junior in Congress, his junior in the diplomatic line, his junior lately in the civil government. Before the receipt of your letter I had written the enclosed one to him. I had intended it some time, but had deferred it from time to time under the discouragement of a despair of making him believe I could be sincere in it. The papers by the last post not rendering it necessary to change anything in the letter I enclose it open for your perusal, not only that you may possess the actual state of dispositions between us, but that if anything should render the delivery of it ineligible in your opinion, you may return it to me. If mr. Adams can be induced to administer the government on it's true principles, & to relinquish his bias to an English constitution, it is to be considered whether it would not be on the whole for the public good to come to a good understanding with him as to his future elections. He is perhaps the only sure barrier against Hamilton's getting in.

Since my last I have received a packet of books & pamphlets, the choiceness of which testifies that they come from you. The incidents of Hamilton's insurrection is a curious work indeed. The hero of it exhibits himself in all the attitudes of a dexterous balance master.

The Political progress is a work of value & of a

Digitized by Google

singular complexion. The eye of the author seems to be a natural achromatic, which divests every object of the glare of colour. The preceding work under the same title had the same merit. One is disgusted indeed with the ulcerated state which it presents of the human mind: but to cure an ulcer we must go to its bottom: & no writer has ever done this more radically than this one. The reflections into which he leads one are not flattering to our species. In truth I do not recollect in all the animal kingdom a single species but man which is eternally & systematically engaged in the destruction of its own species. What is called civilization seems to have no other effect on him than to teach him to pursue the principle of bellum omnium in omnia on a larger scale, & in place of the little contests of tribe against tribe, to engage all the quarters of the earth in the same work of destruction. When we add to this that as to the other species of animals, the lions & tigers are mere lambs compared with man as a destroyer, we must conclude that it is in man alone that nature has been able to find a sufficient barrier against the too great multiplication of other animals & of man himself, an equilibriating power against the fecundity of generation. My situation points my views chiefly to his wars in the physical world: yours perhaps exhibit him as equally warring in the moral one. We both, I believe, join in wishing to see him softened. Adieu.[1]

[1] Statement from memory, of a letter I wrote to James Madison: copy omitted to be retained.

MONTICELLO, Jan. 1, 97.

Yours of Dec. 19 is safely received. I never entertained a doubt of the event of the election. I knew that the eastern troops were trained in the schools of

Digitized by Google

TO ARCHIBALD STUART.[1]

MONTICELLO, Jan 4, 1797.

DEAR SIR,—In answer to your favor of Dec. 31. & to the question whether adviseable to address the President on the subject of war against France, I shall speak explicitly, because I know I may do it safely to you. Such is the popularity of the President that the people will support him in whatever he will do or will not do, without appealing to their own reason or to anything but their feelings toward him. His mind has been so long used to unlimited applause that it could not brook contradiction, or even

their town meetings to sacrifice little differences of opinion to the solid advantages of operating in phalanx, and that the more free and moral agency of the other States would fully supply their deficiency. I had no expectation, indeed, that the vote would have approached so near an equality. It is difficult to obtain full credit to declarations of disinclination to honors, and most so with those who still remain in the world. But never was there a more solid unwillingness, founded on rigorous calculation, formed in the mind of any man, short of peremptory refusal. No arguments, therefore, were necessary to reconcile me to a relinquishment of the first office, or acceptance of the second. No motive could have induced me to undertake the first, but that of putting our vessel upon her republican tack, and preventing her being driven too far to leeward of her true principles. And the second is the only office in the world about which I cannot decide in my own mind, whether I had rather have it or not have it. Pride does not enter into the estimate. For I think with the Romans of old, that the General of to-day should be a common soldier to-morrow, if necessary. But as to Mr. Adams, particularly, I could have no feelings which would revolt at being placed in a secondary station to him. I am his junior in life, I was his junior in Congress, his junior in the diplomatic line, and lately his junior in our civil government. I had written him the enclosed letter before the receipt of yours. I had intended it for some time, but had put it off, from time to time, from the discouragement of despair to make him believe me sincere. As the information by the last post does not make it necessary to change anything in the letter, I enclose it open for your perusal, as well that you may be possessed of the true state of dispositions between us, as that if there be any circumstance which might render its delivery ineligible,

[1] From the original in the possession of the Virginia Historical Society.

Digitized by Google

advice offered unasked. To advice, when asked, he is very open. I have long thought therefore it was best for the republican interest to soothe him by flattering where they could approve his measures, & to be silent where they disapprove, that they may not render him desperate as to their affections, & entirely indifferent to their wishes, in short to lie on their oars while he remains at the helm, and let the bark drift as his will and a superintending providence shall direct. By his answer to the House of Representatives on the subject of the French war, & also by private information, it seems he is earnest that the war should be avoided, & to have the credit of leaving us in full peace. I think then it is best to leave

you may return it to me. If Mr. Adams could be induced to administer the government on its true principles, quitting his bias for an English constitution, it would be worthy consideration whether it would not be for the public good, to come to a good understanding with him as to his future elections. He is the only sure barrier against Hamilton's getting in. . . .

The Political Progress is a work of value and of a singular complexion. The author's eye seems to be a natural achromatic, divesting every object of the glare of color. The former work of the same title possessed the same kind of merit. They disgust one, indeed, by opening to his view the ulcerated state of the human mind. But to cure an ulcer you must go to the bottom of it, which no author does more radically than this. The reflections into which it leads us are not very flattering to the human species. In the whole animal kingdom I recollect no family but man, steadily and systematically employed in the destruction of itself. Nor does what is called civilization produce any other effect, than to teach him to pursue the principle of the *bellum omnium in omnia* on a greater scale, and instead of the little contest between tribe and tribe, to comprehend all the quarters of the earth in the same work of destruction. If to this we add, that as to other animals, the lions and tigers are mere lambs compared with man as a destroyer, we must conclude that nature has been able to find in man alone a sufficient barrier against the too great multiplication of other animals and of man himself, an equilibrating power against the fecundity of generation. While in making these observations, my situation points my attention to the warfare of man in the physical world, yours may perhaps present him as equally warring in the moral one. Adieu. Yours affectionately.

Digitized by Google

him to his own movements, & not to risk the ruffling them by what he might deem an improper interference with the constituted authorities. The rather too because we do not hear of any movement in any other quarter concurrent with what you suggest, & because it would scarcely reach him before his departure from office. As to the President elect, there is reason to believe that he (Mr. Adams I mean) is detached from Hamilton, & there is a possibility he may swerve from his politics in a greater or less degree. Should the British faction attempt to urge him to the war by addresses of support with life & fortune, as may happen, it would then be adviseable to counteract their endeavors by dissuasive addresses. At this moment therefore, at our distance from the scene of information & influence, I should think it most adviseable to be silent till we see what turn the new administration will take. At the same time I mix so little with the world, that my opinion merits less attention than anybody's else, and ought not to be weighed against your own good judgment. If therefore I have given it freely, it is because you have desired it, & not because I think it worth your notice.

My information from Philadelphia confirms the opinion I gave you as to the event of the election. Mr. Adams will have a majority of three votes with respect to myself, & whether Mr. Pinckney will have a few more or less than him seems uncertain. The votes of N. H. R. I. and Vermont had not come in, nor those of Georgia & the two Western states. You shall receive a gong by the first conveyance. It is

Digitized by Google

but fair reciprocity to give me an opportunity of gratifying you sometimes, and to prove by accepting this, that my repeated intrusions on you have not been too troublesome. It is a great satisfaction to know that the object will be acceptable to you. With every wish for your happiness I am Dear Sir your affectionate friend & servt.

TO JAMES MADISON. MAD. MSS.

Jan. 8 97.

Yours of Dec. 25 is safely received. I much fear the issue of the present dispositions of France & Spain. Whether it be in war or in the suppression of our commerce it will be very distressing and our commerce seems to be already sufficiently distressed through the wrongs of the belligerent nations and our own follies. It was impossible the bank and paper-mania should not produce great & extensive ruin. The President is fortunate to get off just as the bubble is bursting, leaving others to hold the bag. Yet, as his departure will mark the moment when the difficulties begin to work, you will see, that they will be ascribed to the new administration, and that he will have his usual good fortune of reaping credit from the good acts of others, and leaving to them that of his errors.—We apprehend our wheat is almost entirely killed: and many people are expecting to put something else in the ground. I have so little expectations from mine, that as much as I am an enemy to tobacco, I shall endeavor to make some for taxes and clothes. In the morning of the 23d of Dec. my thermometer

Digitized by Google

was 5° below 0, & the 24th it was at 0. The last day of Dec. we had a snow 1½ I. deep & the 4th of this month one of 3. I. deep which is still on the ground. Adieu affectionately.

TO JAMES MADISON. MAD. MSS.

MONTICELLO Jan. 16. 97.

DEAR SIR,—The usual accidents of the winter, ice, floods, rains, have prevented the Orange post from coming to Charlottesville the last post-day, so that we have nothing from Philadelphia the last week. I see however by the Richmond papers a probability that the choice of V. P. has fallen on me. I have written the enclosed letter therefore to Mr. Tazewell as a private friend, & have left it open for your perusal. It will explain its own object & I pray you & Mr. Tazewell to decide in your own discretion how it may best be used for its object, so as to avoid the imputation of an indecent forwardness in me.

I observe doubts are still expressed as to the validity of the Vermont election. Surely in so great a case, substance & not form should prevail. I cannot suppose that the Vermont constitution has been strict in requiring particular forms of expressing the legislative will. As far as my disclaimer may have any effect, I pray you to declare it on every occasion foreseen or not foreseen by me, in favor of the choice of the people substantially expressed, & to prevent the phænomenon of a Pseudo-president at so early a day. Adieu. Yours affectionately.

Digitized by Google

TO HENRY TAZEWELL. J. MSS.

MONTICELLO, Jan 16, 1797.

DEAR SIR,—As far as the public papers are to be credited, I may suppose that the choice of Vice-president has fallen on me. On this hypothesis I trouble you, and only pray, if it be wrong, that you will consider this letter as not written. I believe it belongs to the Senate to notify the V P of his election. I recollect to have heard, that on the first election of President & Vice President, gentlemen of considerable office were sent to notify the parties chosen. But this was the inauguration of our new government, & ought not to be drawn into example. At the 2d election, both gentlemen were on the spot and needed no messengers. On the present occasion, the President will be on the spot, so that what is now to be done respects myself alone; and considering that the season of notification will always present one difficulty, that the distance in the present case adds a second, not inconsiderable, and may in future happen to be sometimes much more considerable, I hope the Senate will adopt that method of notification, which will always be least troublesome and most certain. The channel of the post is certainly the least troublesome, is the most rapid, &, considering also that it may be sent by duplicates & triplicates, is unquestionably the most certain. Inclosed to the postmaster at Charlottesville, with an order to send it by express, no hazard can endanger the notification. Apprehending, that should there be a difference of opinion on this subject in the Senate, my ideas of self-respect might

Digitized by Google

be supposed by some to require something more formal & inconvenient, I beg leave to avail myself of your friendship to declare, if a different proposition should make it necessary, that I consider the channel of the post-office as the most eligible in every respect, & that it is to me the most desirable; which I take the liberty of expressing, not with a view of encroaching on the respect due to that discretion which the Senate have a right to exercise on the occasion, but to render them the more free in the exercise of it, by taking off whatsoever weight the supposition of a contrary desire in me might have in the mind of any member.

TO JAMES MADISON. MAD. MSS.

Jan. 22, 97.

Yours of the 8th came to hand yesterday. I was not aware of any necessity of going on to Philadelphia immediately, yet I had determined to do it, as a mark of respect to the public, and to do away the doubts which have spread, that I should consider the second office as beneath my acceptance. The journey, indeed, for the month of February, is a tremendous undertaking for me, who have not been seven miles from home since my re-settlement. I will see you about the rising of Congress; and presume I need not stay there a week. Your letters written before the 7th of Feb will still find me here. My letters inform me that mr. A speaks of me with great friendship, and with satisfaction in the prospect of adminis-

Digitized by Google

tering the government in concurrence with me.[1] I am glad of the first information, because tho I saw that our antient friendship was affected by a little leaven, produced partly by his constitution, partly by the contrivance of others, yet I never felt a diminution of confidence in his integrity, and retained a solid affection for him. His principles of government I knew to be changed, but conscientiously changed. As to my participating in the administration, if by that he meant the executive cabinet, both duty & inclination will shut that door to me. I cannot have a wish to see the scenes of 93. revived as to myself, & to descend daily into the arena like a gladiator, to suffer martyrdom in every conflict. As to duty, the constitution will know me only as the member of a legislative body; and it's principle is, that of a separation o legislative, executive & judiciary functions, except in cases specified. If this principle be not expressed in direct terms, yet it is clearly the spirit of the constitution, & it ought to be so commented & acted on by every friend of free government.

I sincerely deplore the situation of our affairs with

[1] Adams wrote to Tristam Dalton on Jan. 19, 1797:

"P. S. Mr. Jefferson's Letters and Declarations are no surprise to me. We laboured together in high friendship in Congress in 1776 and have lived and acted together very frequently since that time. His Talent and Information I know very well, and have ever believed in his honour, Integrity, his love of Country, and his friends. I may say to you that his Patronage of Paine and Freneau, and his entanglements with Characters and Politicks which have been pernicious, are and have long been a Source of Inquietude and anxiety to me, as they have been to you. But I hope and believe that his advancement and his Situation in the Senate, an excellent School, will correct him. He will have too many French friends about him to flatter him: but I hope we can keep him steady. This is entre nous. J. A."

Digitized by Google

France. War with them, and consequent alliance with Great Britain, will completely compass the object of the Executive council, from the commencement of the war between France & England; taken up by some of them from that moment, by others more latterly. I still, however, hope it will be avoided. I do not believe mr. A wishes war with France; nor do I believe he will truckle to England as servilely as has been done. If he assumes this front at once, and shews that he means to attend to self-respect & national dignity with both the nations, perhaps the depredations of both on our commerce may be amicably arrested. I think we should begin first with those who first begin with us, and, by an example on them, acquire a right to re-demand the respect from which the other party has departed.—I suppose you are informed of the proceeding commenced by the legislature of Maryland, to claim the South branch of the Potomac as their boundary, and thus of Albemarle, now the central county of the state, to make a frontier. As it is impossible, upon any consistent principles, & after such a length of undisturbed possession, that they can expect to establish their claim, it can be ascribed to no other than an intention to irritate & divide; and there can be no doubt from what bow the shaft is shot. However, let us cultivate Pennsylvania, & we need not fear the universe. The Assembly have named me among those who are to manage this controversy. But I am so averse to motion & contest, and the other members are so fully equal to the business, that I cannot undertake to act in it. I wish

Digitized by Google

you were added to them. Indeed, I wish & hope you may consent to be added to our Assembly itself. There is no post where you can render greater services, without going out of your State. Let but this block stand firm on it's basis, & Pennsylvania do the same, our Union will be perpetual, & our General Government kept within the bounds & form of the constitution. Adieu affectionately.

TO GEORGE WYTHE. J. MSS.

MONTICELLO, Jan. 22. 97.

It seems probable that I will be called on to preside in a legislative chamber. It is now so long since I have acted in the legislative line, that I am entirely rusty in the Parliamentary rules of procedure. I know they have been more studied and are better known by you than by any man in America, perhaps by any man living. I am in hopes that while inquiring into the subject you made notes on it. If any such remain in your hands, however informal, in books or in scraps of paper, and you will be so good as to trust me with them for a little while, they shall be most faithfully returned. If they lie in small compass they might come by post, without regard to expense. If voluminous, mr. Randolph will be passing through Richmond on his way from Varina to this place about the 10th of Feb, and could give them a safe conveyance. Did the Assembly do anything for the preservation by publication of the laws? With great affection, adieu.

Digitized by Google

TO JOHN LANGDON. J. MSS.

MONTICELLO, Jan. 22, 1797.

DEAR SIR,—Your friendly letter of the 2d inst, never came to hand till yesterday, & I feel myself indebted for the solicitude you therein express for my undertaking the office to which you inform me I am called. I know not from what source an idea has spread itself, which I have found to be generally spread, that I would accept the office of President of the U S, but not of Vice President. When I retired from the office I last held, no man in the Union less expected than I did, ever to have come forward again; and, whatever has been insinuated to the contrary, to no man in the Union was the share which my name bore in the late contest, more unexpected than it was to me. If I had contemplated the thing beforehand, & suffered my will to enter into action at all on it, it would have been in a direction exactly the reverse of what has been imputed to me; but I had no right to a will on the subject, much less to controul that of the people of the U S in arranging us according to our capacities. Least of all could I have any feelings which would revolt at taking a station secondary to mr. Adams. I have been secondary to him in every situation in which we ever acted together in public life for twenty years past. A contrary position would have been the novelty, & his the right of revolting at it. Be assured then, my dear Sir, that if I had had a fibre in my composition still looking after public office, it would have been gratified precisely by the very call you are pleased to announce to me, and no

Digitized by Google

other. But in truth I wish for neither honors nor offices. I am happier at home than I can be elsewhere. Since, however, I am called out, an object of great anxiety to me is that those with whom I am to act, shutting their minds to the unfounded abuse of which I have been the subject, will view me with the same candor with which I shall certainly act. An acquaintance of many long years ensures to me your just support, as it does to you the sentiments of sincere respect and attachment with which I am, dear Sir, your friend and servant.

TO DOCTOR JOHN EDWARDS. J. MSS.

MONTICELLO, Jan. 22, 97.

DEAR SIR,—I was yesterday gratified with the receipt of your favor of December 15th, which gave me the first information of your return from Europe. On the 28th of Oct I received a letter of July 30. from Colo Monroe, but did not know through what channel it came. I should be glad to see the Defence of his conduct which you possess, tho no paper of that title is necessary for me. He was appointed to an office during pleasure merely to get him out of the Senate, & with an intention to seize the first pretext for exercising the pleasure of recalling him. As I shall be at Philadelphia the first week in March, perhaps I may have an opportunity of seeing the paper there in mr. Madison's hands. I think with you it will be best to publish nothing concerning Colo Monroe till his return, that he may accommo-

Digitized by Google

date the complexion of his publication to times & circumstances. When you left America you had not a good opinion of the train of our affairs. I dare say you do not find that they have got into better train. It will never be easy to convince me that by a firm yet just conduct in 1793, we might not have obtained such a respect for our neutral rights from Great Britain, as that her violations of them & use of our means to wage her wars, would not have furnished any pretence to the other party to do the same. War with both would have been avoided, commerce & navigation protected & enlarged. We shall now either be forced into a war, or have our commerce & navigation at least totally annihilated, and the produce of our farms for some years left to rot on our hands. A little time will unfold these things, and shew which class of opinions would have been most friendly to the firmness of our government, & to the interests of those for whom it was made. I am, with great respect, dear Sir, your most obedient servant.

TO DOCTOR BENJAMIN RUSH. J. MSS.

MONTICELLO, Jan 22, 97.

DEAR SIR,—I received yesterday your kind favor of the 4th instant, and the eulogium it covered on the subject of our late invaluable friend Rittenhouse, & I perused it with the avidity & approbation which the matter & manner of everything from your pen has long taught me to feel. I thank you too for your congratulations on the public call on me to undertake

Digitized by Google

the 2d office in the U S, but still more for the justice you do me in viewing as I do the *escape* from the first. I have no wish to meddle again in public affairs, being happier at home than I can be anywhere else. Still less do I wish to engage in an office where it would be impossible to satisfy either friends or foes, and least of all at a moment when the storm is about to burst, which has been conjuring up for four years past. If I am to act however, a more tranquil & unoffending station could not have been found for me, nor one so analogous to the dispositions of my mind. It will give me philosophical evenings in the winter, & rural days in summer. I am indebted to the Philosophical society a communication of some bones of an animal of the lion kind, but of most exaggerated size. What are we to think of a creature whose claws were 8 Inches long, when those of the lion are not 1 1-2 I; whose thigh-bone was 6 1-4 I. diameter; when that of the lion is not 1 1-2 I? Were not these things within the jurisdiction of the rule & compass, and of ocular inspection, credit to them could not be obtained. I have been disappointed in getting the femur as yet, but shall bring on the bones I have, if I can, for the Society, & have the pleasure of seeing you for a few days in the first week of March. I wish the usual delays of the publications of the society may admit the addition to our new volume, of this interesting article, which it would be best to have first announced under the sanction of their authority. I am, with sincere esteem, dear Sir, your friend and servant.

Digitized by Google

TO JAMES MADISON. MAD. MSS.

Jan. 30, 97.

Yours of the 15th came to hand yesterday. I am very thankful for the discretion you have exercised over the letter. That has happened to be the case, which I knew to be possible, that the honest expression of my feelings towards mr. A might be rendered mal-apropos from circumstances existing, & known at the seat of government, but not seen by me in my retired situation. Mr. A & myself were cordial friends from the beginning of the revolution. Since our return from Europe, some little incidents have happened, which were capable of affecting a jealous mind like his. The deviation from that line of politics on which we had been united, has not made me less sensible of the rectitude of his heart; and I wished him to know this, & also another truth, that I am sincerely pleased at having escaped the late draught for the helm, and have not a wish which he stands in the way of. That he should be convinced of these truths, is important to our mutual satisfaction, & perhaps to the harmony & good of the public service. But there was a difficulty in conveying them to him, & a possibility that the attempt might do mischief there or somewhere else; & I would not have hazarded the attempt, if you had not been in place to decide upon it's expediency. It is now become unnecessary to repeat it by a letter. I have had occasion to write to Langdon, in answer to one from him, in which I have said exactly the things which will be grateful to mr. A. & no more. This I imagine will be shewn to him. * * *

Digitized by Google

I have turned to the constitution & laws, and find nothing to warrant the opinion that I might not have been qualified here, or wherever else I could meet with a Senator; every member of that body being authorized to administer the oath, without being confined to time or place, & consequently to make a record of it, and to deposit it with the records of the Senate. However, I shall come on, on the principle which had first determined me,—respect to the public. I hope I shall be made a part of no ceremony whatever. I shall escape into the city as covertly as possible. If Gov Mifflin should show any symptoms of ceremony, pray contrive to parry them. We have now fine mild weather here. The thermometer is above the point which renders fires necessary. Adieu affectionately.

TO JAMES SULLIVAN.

MONTICELLO, Feb 9, 1797.

DEAR SIR,—I have many acknolegements to make for the friendly anxiety you are pleased to express in your letter of Jan 12, for my undertaking the office to which I have been elected. The idea that I would accept the office of President, but not that of Vice President of the U S, had not its origin with me. I never thought of questioning the free exercise of the right of my fellow citizens, to marshal those whom they call into their service according to their fitness, nor ever presumed that they were not the best judges of these. Had I indulged a wish in what manner they should dispose of me, it would precisely have

Digitized by Google

coincided with what they have done. Neither the splendor, nor the power, nor the difficulties, nor the fame or defamation, as may happen, attached to the first magistracy, have any attractions for me. The helm of a free government is always arduous, & never was ours more so, than at a moment when two friendly people are like to be committed in war by the ill temper of their administrations. I am so much attached to my domestic situation, that I would not have wished to leave it at all. However, if I am to be called from it, the shortest absences & most tranquil station suit me best. I value highly, indeed, the part my fellow citizens gave me in their late vote, as an evidence of their esteem, & I am happy in the information you are so kind as to give, that many in the Eastern quarter entertain the same sentiment.

Where a constitution, like ours, wears a mixed aspect of monarchy & republicanism, its citizens will naturally divide into two classes of sentiment, according as their tone of body or mind, their habits, connections & callings, induce them to wish to strengthen either the monarchial or the republican features of the constitution. Some will consider it as an elective monarchy, which had better be made hereditary, & therefore endeavor to lead towards that all the forms and principles of its administration. Others will view it as an energetic republic, turning in all its points on the pivot of free and frequent elections. The great body of our native citizens are unquestionably of the republican sentiment. Foreign education, & foreign connections of interest, have produced some excep-

Digitized by Google

tions in every part of the Union, North and South, & perhaps other circumstances in your quarter, better known to you, may have thrown into the scale of exceptions a greater number of the rich. Still there, I believe, and here, I am sure, the great mass is republican. Nor do any of the forms in which the public disposition has been pronounced in the last half dozen years, evince the contrary. All of them, when traced to their true source, have only been evidences of the preponderant popularity of a particularly great character. That influence once withdrawn, & our countrymen left to the operation of their own unbiassed good sense, I have no doubt we shall see a pretty rapid return of general harmony, & our citizens moving in phalanx in the paths of regular liberty, order, and a sacrosanct adherence to the constitution. Thus I think it will be, if war with France can be avoided. But if that untoward event comes athwart us in our present point of deviation, nobody, I believe, can foresee into what port it will drive us.

I am always glad of an opportunity of inquiring after my most antient & respected friend mr. Samuel Adams. His principles, founded on the immovable basis of equal right & reason, have continued pure & unchanged. Permit me to place here my sincere veneration for him, & wishes for his health & happiness; & to assure yourself of the sentiments of esteem & respect with which I am, Dear Sir, your most obedient & most humble servant.

Digitized by Google

TO ELBRIDGE GERRY. J. MSS.

PHILADELPHIA, May 13, 97.

MY DEAR FRIEND,—Your favor of the 4th instt came to hand yesterday. That of the 4th of Apr, with the one for Monroe, has never been received. The first, of Mar 27, did not reach me till Apr 21, when I was within a few days of setting out for this place, & I put off acknoleging it till I should come here. I entirely commend your dispositions towards mr. Adams; knowing his worth as intimately and esteeming it as much as any one, and acknoleging the preference of his claims, if any I could have had, to the high office conferred on him. But in truth, I had neither claims nor wishes on the subject, tho I know it will be difficult to obtain belief of this. When I retired from this place & the office of Secy of state, it was in the firmest contemplation of never more returning here. There had indeed been suggestions in the public papers, that I was looking towards a succession to the President's chair, but feeling a consciousness of their falsehood, and observing that the suggestions came from hostile quarters, I considered them as intended merely to excite public odium against me. I never in my life exchanged a word with any person, on the subject, till I found my name brought forward generally, in competition with that of mr. Adams. Those with whom I then communicated, could say, if it were necessary, whether I met the call with desire, or even with a ready acquiescence, and whether from the moment of my first acquiescence, I did not devoutly pray that the very thing might happen which

Digitized by Google

has happened. The second office of this government is honorable & easy, the first is but a splendid misery.

You express apprehensions that stratagems will be used, to produce a misunderstanding between the President and myself. Tho not a word having this tendency has ever been hazarded to me by any one, yet I consider as a certainty that nothing will be left untried to alienate him from me. These machinations will proceed from the Hamiltons by whom he is surrounded, and who are only a little less hostile to him than to me. It cannot but damp the pleasure of cordiality, when we suspect that it is suspected. I cannot help fearing, that it is impossible for mr. Adams to believe that the state of my mind is what it really is; that he may think I view him as an obstacle in my way. I have no supernatural power to impress truth on the mind of another, nor he any to discover that the estimate which he may form, on a just view of the human mind as generally constituted, may not be just in its application to a special constitution. This may be a source of private uneasiness to us; I honestly confess that it is so to me at this time. But neither of us are capable of letting it have effect on our public duties. Those who may endeavor to separate us, are probably excited by the fear that I might have influence on the executive councils; but when they shall know that I consider my office as constitutionally confined to legislative functions, and that I could not take any part whatever in executive consultations, even were it proposed, their fears may perhaps subside, & their object be found not worth a machination.

Digitized by Google

I do sincerely wish with you, that we could take our stand on a ground perfectly neutral & independent towards all nations. It has been my constant object thro public life; and with respect to the English & French, particularly, I have too often expressed to the former my wishes, & made to them propositions verbally & in writing, officially & privately, to official & private characters, for them to doubt of my views, if they would be content with equality. Of this they are in possession of several written & formal proofs, in my own hand writing. But they have wished a monopoly of commerce & influence with us; and they have in fact obtained it. When we take notice that theirs is the workshop to which we go for all we want; that with them centre either immediately or ultimately all the labors of our hands and lands; that to them belongs either openly or secretly the great mass of our navigation; that even the factorage of their affairs here, is kept to themselves by factitious citizenships; that these foreign & false citizens now constitute the great body of what are called our merchants, fill our sea ports, are planted in every little town & district of the interior country, sway everything in the former places by their own votes, & those of their dependants, in the latter, by their insinuations & the influence of their ledgers; that they are advancing fast to a monopoly of our banks & public funds, and thereby placing our public finances under their control; that they have in their alliance the most influential characters in & out of office; when they have shewn that by all these bearings on the different branches of the government, they can force it to

Digitized by Google

proceed in whatever direction they dictate, and bend the interests of this country entirely to the will of another; when all this, I say, is attended to, it is impossible for us to say we stand on independent ground, impossible for a free mind not to see & to groan under the bondage in which it is bound. If anything after this could excite surprise, it would be that they have been able so far to throw dust in the eyes of our own citizens, as to fix on those who wish merely to recover self-government the charge of subserving one foreign influence, because they resist submission to another. But they possess our printing presses, a powerful engine in their government of us. At this very moment, they would have drawn us into a war on the side of England, had it not been for the failure of her bank. Such was their open & loud cry, & that of their gazettes till this event. After plunging us in all the broils of the European nations, there would remain but one act to close our tragedy, that is, to break up our Union; and even this they have ventured seriously & solemnly to propose & maintain by arguments in a Connecticut paper. I have been happy, however, in believing, from the stifling of this effort, that that dose was found too strong, & excited as much repugnance there as it did horror in other parts of our country, & that whatever follies we may be led into as to foreign nations, we shall never give up our Union, the last anchor of our hope, & that alone which is to prevent this heavenly country from becoming an arena of gladiators. Much as I abhor war, and view it as the greatest scourge of mankind,

Digitized by Google

and anxiously as I wish to keep out of the broils of Europe, I would yet go with my brethren into these, rather than separate from them. But I hope we may still keep clear of them, notwithstanding our present thraldom, & that time may be given us to reflect on the awful crisis we have passed through, and to find some means of shielding ourselves in future from foreign influence, political, commercial, or in whatever other form it may be attempted. I can scarcely withhold myself from joining in the wish of Silas Deane, that there were an ocean of fire between us & the old world.[1]

A perfect confidence that you are as much attached to peace & union as myself, that you equally prize independence of all nations, and the blessings of self-government, has induced me freely to unbosom myself to you, and let you see the light in which I have viewed what has been passing among us from the beginning of the war. And I shall be happy, at all times, in an intercommunication of sentiments with you, believing that the dispositions of the different parts of our country have been considerably misrepre-

[1] The following is the last paragraph in the draft of this letter, afterwards stricken out and changed as in the print:

"I shall never forget the prediction of the count de Vergennes that we shall exhibit the singular phænomenon of a fruit rotten before it is ripe, nor cease to join in the wish of Silas Deane that there were an ocean of fire between us & the old world. Indeed my dear friend I am so disgusted with this entire subjection to a foreign power that if it were in the end to appear to be the wish of the body of my countrymen to remain in that vassalege I should feel my unfitness to be an agent in their affairs, and seek in retirement that personal independence without which this world has nothing I value. I am confident you set the same store by it which I do: but perhaps your situation may not give you the same conviction of its existence."

Digitized by Google

sented & misunderstood in each part, as to the other, and that nothing but good can result from an exchange of information & opinions between those whose circumstances & morals admit no doubt of the integrity of their views.

I remain, with constant and sincere esteem, Dear Sir, your affectionate friend and servant.

TO JAMES MADISON. MAD. MSS.

PHILADELPHIA, May 18. 97.

I was informed on my arrival here that Gov^r^ Pinckney's dispatches had on their first receipt excited in the administration a great deal of passion, that councils were held from day to day, and their ill temper fixed at length in war; that under this impression Congress was called: that the tone of the party in general became high, and so continued till the news of the failure of the bank of England. This first gave it a check, & a great one & they have been cooling down ever since, the most intemperate only still asking permission to arm the vessels for their own defence, while the more prudent disapprove of putting it in the power of their brethren & leaving to their discretion to begin the war for us. The impression was too that the executive had for some time been repenting that they had called us, & wished the measure undone. All the members from North as well as South concurred in attesting that negociation or any thing rather than war was the wish of their constituents. What was our surprise then at receiving the

Digitized by Google

speech which will come to you by this post. I need make no observation to you on it. I believe there was not a member of either house, out of the secret, who was not much disappointed. However some had been prepared. The spirit of supporting the Executive was immediately given out in the lower house & is working there. The Senate admits of no fermentation. Tracy, Laurence & Livermore were appointed to draw an answer for them, Venable, Freeman, Rutledge, Griswold & for the representatives the former will be reported to day, & will be in time to be inclosed: the other not till tomorrow when the post will be gone. We hope this last will be in general terms, but this is not certain, a majority as is believed (of the commitee) being for arming the merchantmen, finishing the frigates, fortifying harbors, & making all other military preparations as an aid to negociation. How the majority of the house will be is very doubtful. If all were here, it is thought it would be decidedly pacific, but all are not here & will not be here. The division on the choice of a clerk was 41. for Condy, 40 for Beckley. Besides the loss of the ablest clerk in the US. & the outrage committed on the absent members, prevented by the suddenness of the call & their distance from being here on the 1st day of the session, it excites a fear that the republican interest has lost by the new changes. It is said that three from Virginia separate from their brethren. The hope however is that as the anti-Republicans take the high ground of war, and their opponents are for everything moderate that the most moderate

Digitized by Google

of those who came under contrary dispositions will join them. Langdon tells me there is a considerable change working in the minds of the people to the Eastward: that the idea that they have been deceived begins to gain ground, and that were the elections to be now made their result would be considerably different. This however is doubted & denied by others. France has asked of Holland to send away our Minister from them & to treat our Commerce on the plan of their late decree. The Batavian government answered after due consideration that their commerce with us was now their chief commerce, that their money was in our funds, that if they broke off correspondence with us they should be without resources for themselves, for their own public & for France, & therefore declined doing it. France acquiesced. I have this from the President who had it from his son still at Hague. I presume that France has made the same application to Spain. For *I know* that Spain has memorialized our Executive against the effect of the British treaty, as to the articles concerning neutral bottoms, contraband, and the Missisipi, has been pressing for an answer & has not yet been able to obtain one. It does not seem candid to have kept out of sight in the speech this discontent of Spain which is strongly and seriously pronounced & to have thereby left it to be imagined that France is the only power of whom we are in danger.—The failure of the bank of England, & the fear of having a paper tender there, has stopped buying bills of exchange. Specie is raked up from all quarters, & re-

Digitized by Google

mitted for paiments at a disadvantage from risks &c. of 20. per cent. The bankruptcies here have been immense. I heard a sensible man well acquainted with them conjecture that the aggregate of the clear losses on all these added together in all the states would be not less than 10. millions of Dollars, a heavy tax indeed, to which are to be added the Maritime spoliations, and this tax falling on only a particular description of Citizens.—Bills of lading are arrived to a merchant for goods shipped from Bordeaux for this place in a vessel in which *Monroe is coming passenger*. We hope hourly therefore to receive him.—Innes is arrived & that board going to work.

May 19. the answer of the Senate is reported by the Commitee. It is perfectly an echo and full as high toned as the speech. Amendments may & will be attempted but cannot be carried.—Note to me the day you receive this that I may know whether I conjecture rightly what is our true post day here.

TO THOMAS PINCKNEY. J.MSS.

PHILADELPHIA, May 29, 1797.

DEAR SIR,—I received from you, before I left England, a letter enclosing one from the Prince of Parma. As I learnt soon after that you were shortly to return to America, I concluded to join my acknolegments of it to my congratulations on your arrival; & both have been delayed by a blameable spirit of procrastination, forever suggesting to our indolence that we need not do to-day what may be done to-morrow.

Digitized by Google

Accept these now in all the sincerity of my heart. It is but lately I have answered the Prince's letter. It required some time to establish arrangements which might effect his purpose, & I wished also to forward a particular article or two of curiosity. You have found on your return a higher style of political difference than you had left here. I fear this is inseparable from the different constitutions of the human mind, & that degree of freedom which permits unrestrained expression. Political dissension is doubtless a less evil than the lethargy of despotism, but still it is a great evil, and it would be as worthy the efforts of the patriot as of the philosopher, to exclude it's influence, if possible, from social life. The good are rare enough at best. There is no reason to subdivide them by artificial lines. But whether we shall ever be able so far to perfect the principles of society, as that political opinions shall, in it's intercourse, be as inoffensive as those of philosophy, mechanics, or any other, may well be doubted. Foreign influence is the present & just object of public hue and cry, &, as often happens, the most guilty are foremost & loudest in the cry. If those who are truly independent, can so trim our vessels as to beat through the waves now agitating us, they will merit a glory the greater as it seems less possible. When I contemplate the spirit which is driving us on here, & that beyond the water which will view us as but a mouthful the more, I have little hope of peace. I anticipate the burning of our sea ports, havoc of our frontiers, household insurgency, with a long train of et ceteras, which is enough for a

Digitized by Google

man to have met once in his life. The exchange, which is to give us new neighbors in Louisiana (probably the present French armies when disbanded) has opened us to combinations of enemies on that side where we are most vulnerable. War is not the best engine for us to resort to, nature has given us one *in our commerce*, which, if properly managed, will be a better instrument for obliging the interested nations of Europe to treat us with justice. If the commercial regulations had been adopted which our legislature were at one time proposing, we should at this moment have been standing on such an eminence of safety & respect as ages can never recover. But having wandered from that, our object should now be to get back, with as little loss as possible, & when peace shall be restored to the world, endeavor so to form our *commercial* regulations as that justice from other nations shall be their mechanical result. I am happy to assure you that the conduct of Gen! Pinckney has met universal approbation. It was marked with that coolness, dignity, & good sense which we expected from him. I am told that the French government had taken up an unhappy idea, that Monroe was recalled for the candor of his conduct in what related to the British treaty, & Gen! Pinckney was sent as having other dispositions towards them. I learn further, that some of their well-informed citizens here are setting them right as to Gen! Pinckney's dispositions, so well known to have been just towards them; & I sincerely hope, not only that he may be employed as envoy extraordinary

Digitized by Google

to them, but that their minds will be better prepared to receive him. I candidly acknolege, however, that I do not think the speech & addresses of Congress as conciliatory as the preceding irritations on both sides would have rendered wise. I shall be happy to hear from you at all times, to make myself useful to you whenever opportunity offers, and to give every proof of the sincerity of the sentiments of esteem & respect with which I am, Dear Sir, your most obedient and most humble servant.

TO HORATIO GATES. J. MSS.

PHILADELPHIA, May 30, 1797.

DEAR GENERAL,—I thank you for the pamphlet of Erskine enclosed in your favor of the 9th inst, and still more for the evidence which your letter affords me of the health of your mind, and I hope of your body also. Erskine has been reprinted here, & has done good. It has refreshed the memory of those who had been willing to forget how the war between France and England has been produced; and who, apeing St. James', called it a defensive war on the part of England. I wish any events could induce us to cease to copy such a model, & to assume the dignity of being original. They had their paper system, stockjobbing, speculations, public debt, moneyed interest, &c., and all this was contrived for us. They raised their cry against jacobinism and revolutionists, we against democratic societies & anti-federalists; their alarmists sounded insurrection, ours marched an army to look for one, but they could not find it. I wish the

Digitized by Google

parallel may stop here, and that we may avoid, instead of imitating, a general bankruptcy and disastrous war.

Congress, or rather the representatives, have been a fortnight debating a more or less irritating answer to the President's speech. The latter was lost yesterday, by 48. against 51. or 52. It is believed, however, that when they come to propose measures leading directly to war, they will lose some of their numbers. Those who have no wish but for the peace of their country, & its independence of all foreign influence, have a hard struggle indeed, overwhelmed by a cry as loud & imposing as if it were true, of being under French influence, & this raised by a faction composed of English subjects residing among us, or such as are English in all their relations & sentiments. However, patience will bring all to rights, and we shall both live to see the mask taken from their faces, and our citizens sensible on which side true liberty & independence are sought. Should any circumstance draw me further from home, I shall with great cordiality pay my respects to you at Rose Hill, & am not without hope of meeting you here some time.

Here, there, & everywhere else, I am with great & sincere attachment & respect, your friend and servant.

TO JAMES MADISON. J. MSS.

PHILADELPHIA, June 1, [1797.]

DEAR SIR,—I wrote you on the 18th of May. The address of the Senate was soon after that. The first draught was responsive to the speech, & higher toned.

Digitized by Google

Mr. Henry arrived the day it was reported; the addressers had not yet their strength around them. They listened therefore to his objections, recommitted the papers, added him and Tazewell to the committee, and it was reported with considerable alterations; but one great attack was made on it, which was to strike out the clause approving everything heretofore done by the Executive. This clause was retained by a majority of four. They received a new accession of members, held a caucus, took up all the points recommended in the speech, except the raising money, agreed the lists of every committee, and on Monday passed the resolutions & appointed the committees, by an uniform vote of 17 to 11. (Mr. Henry was accidentally absent; Ross not then come.) Yesterday they put up the nomination of J. Q. Adams to Berlin, which had been objected to as extending our diplomatic establishment. It was approved by 18 to 14. (Mr. Tatnall accidentally absent.) From the proceedings we were able to see, that 18 on the one side & 10 on the other, with two wavering votes, will decide every question. Schuyler is too ill to come this session, & Gunn has not yet come. Pinckney (the Genl), John Marshall & Dana are nominated envoys extraordinary to France. Charles Lee consulted a member from Virginia to know whether Marshall would be agreeable. He named you, as more likely to give satisfaction. The answer was, 'Nobody of mr. Madison's way of thinking will be appointed.'

The representatives have not yet got through their address. An amendment of mr. Nicholas', which you

Digitized by Google

will have seen in the papers, was lost by a division of 46 to 52. A clause by mr. Dayton, expressing a wish that France might be put on an equal footing with other nations, was inserted by 52. against 47. This vote is most worthy of notice, because the moderation & justice of the proposition being unquestionable, it shews that there are 47. decided to go all lengths to [*illegible*] They have received a new orator from the district of mr. Ames. He is the son of the Secretary of the Senate. They have an accession from S C also, that State being exactly divided. In the H of Repr. I learned the following facts, which give me real concern. When the British treaty arrived at Charleston, a meeting, as you know, was called, and a committee of seventeen appointed, of whom General Pinckney was one. He did not attend. They waited for him, sent for him; he treated the mission with great hauteur, and disapproved of their meddling. In the course of the subsequent altercations, he declared that his brother, T. Pinckney, approved of every article in the treaty, under the *existing circumstances*, and since that time, the politics of Charleston have been assuming a different hue. Young Rutledge joining Smith and Harper, is an ominous fact as to that whole interest.

Tobacco is at 9. dollars, and flour very dull of sale. A great stagnation in commerce generally. During the present bankruptcy in England, the merchants seem disposed to lie on their oars. It is impossible to conjecture the rising of Congress, as it will depend on the system they decide on; whether

Digitized by Google

of preparation for war, or inaction. In the vote of 46. to 52. Morgan, Macher & Evans were of the majority, and Clay kept his seat, refusing to vote with either. In that of 47 to 52, Evans was the only one of our delegation who voted against putting France on an equal footing with other nations.

P. M. So far, I had written in the morning. I now take up my pen to add, that the addresses having been reported to the House, it was moved to disagree to so much of the amendment as went to the putting France on an equal footing with other nations, & Morgan and Macher turning tail, (in consequence, as is said, of having been closeted last night by Charles Lee,) the vote was 49. to 50. So the principle was saved by a single vote. They then proposed that compensations for spoliations shall be a *sine qua non*, and this will be decided on to-morrow. Yours affectionately.

TO PEREGRINE FITZHUGH. J.MSS.

PHILADELPHIA, June 4, 1797.

DEAR SIR,—I am favoured with yours of May 19, & thank you for your intentions as to the corn & the large white clover which if forwarded to mr. Archibald Stuart at Staunton will find daily means of conveyance from thence to me. That indeed is the nearest post road between you & myself by 60. or 70. miles, the one by Georgetown being very circuitous.

The representatives have at length got through their address. As you doubtless receive the newspapers regularly from hence you will have seen in

Digitized by Google

them the address, & all the amendments made or proposed (while mentioning newspapers it is doing a good office to as distant places as yours & mine to observe that Bache has begun to publish his Aurora for his country customers on 3. sheets a week instead of six. You observe that the 1st & 4th pages are only of advertisement. The 2d & 3d contain all the essays & laws. He prints therefore his 2d & 3d. pages of Monday's & Tuesday's papers on opposite sides of the same sheet, omitting the 1st & 4th, so that we have the news pages of 2. papers on one. This costs but 5. instead of 8. dollars & saves half the postage. Smith begins in July to publish a *weekly* paper without advertisements which will probably be a good one. Cary's paper is an excellent one & Bradford's compiled by Lloyd perhaps the best in the city; but both of these are daily papers. Thinking this episode on newspapers might not be unacceptable in a position as distant as yours, I return to Congress & to politics.) You will perceive by the votes that the Republican majority of the last congress has been much affected by the changes of the late election. Still however if all were here the majority would be on the same side, though a small one. They will now proceed to consider what is to be done. It is not easy nor safe to prophecy, but I think the expectation is that they will not permit the merchant vessels to arm, that they will leave the militia as it stands for the present season, vote further sums for going on with the fortifications & frigates & prefer borrowing the money of the bank to the taking up the subject of

Digitized by Google

taxation generally at this inconvenient season. In fact I consider the calling of Congress so out of season an experiment of the new administration to see how far & on what lines they could count on its support. Nothing new had intervened between the late separation & the summons, for Pinckney's non-reception was then known. It is possible from the complexion of the President's speech that he was disposed or perhaps advised to proceed on a line which would endanger the peace of our country: & though the address is nearly responsive yet it would be too bold to proceed on so small a majority. The first unfavorable event, & even the necessary taxes, would restore preponderance to the side of peace. The nomination of the envoys for France does not prove a thorough conversion to the pacific system. Our greatest security perhaps is in the impossibility of either borrowing or raising the money which would be necessary. I am suggesting an idea on the subject of taxation which might perhaps facilitate much that business & reconcile all parties. That is to say, to lay a land tax leviable in 1798 &c. But if by the last day of 1798 any state bring it's *whole* quota into the federal Treasury, the tax shall be suspended one year for that state. If by the end of the next year they bring another year's tax, it shall be suspended a 2d year as to them & so toties quoties forever. If they fail, the federal collectors will go on of course to make their collection. In this way those who prefer excises may raise their quota by excises, & those who prefer land taxes may raise by land taxes, either on the fed-

Digitized by Google

eral plan, or on any other of their own which they like better. This would tend, I think, to make the general government popular & to render the state legislatures useful allies & associates instead of rivals, & to mollify the harsh tone of government which has been asserted. I find the idea pleasing to most of those to whom I have suggested it. It will be objected to by those who are for a consolidation. You mention the retirement of mr. Ames. You will observe that he has sent us a successor Mr. H. G. Otis as rhetorical as himself. You have perhaps seen an attack made by a Mr. Luther Martin on the facts stated in the Notes on Virginia relative to Logan, his speech, the fate of his family & the share Col. Cresap had in their extermination. I do not desire to enter the field in the newspapers with Mr. Martin, but if any injury has been done Col. Cresap in the statement I have given it shall certainly be corrected whenever another edition of that work shall be published. I have given it as I have received it. I think you told me Cresap had lived in your neighborhood hence I have imagined you could in the ordinary course of conversations in the societies there find the real truth of the whole transaction & the genuine character and conduct of Cresap. If you will be so good as to keep this subject in your mind, to avail yourself of the opportunities of enquiry & evidence which may occur, & communicate the result to me you will singularly oblige me. The proceedings in the federal court of Virginia to overawe the communications between the people & their representatives ex-

Digitized by Google

cite great indignation. Probably a great fermentation will be produced by it in that state. Indeed it is the common cause of the confederacy as it is one of their courts which has taken the step. The charges of the federal judges have for a considerable time been inviting the grand juries to become inquisitors on the freedom of speech, of writing & of principle of their fellow-citizens. Perhaps the grand juries in the other states as well as in that of Virginia may think it incumbent in their next presentment to enter protestations against this perversion of their institution from a legal to a political engine, & even to present those concerned in it. The hostile use which is made of whatever can be laid hold of of mine, obliges me to caution the friends to whom I write, never to let my letters go out of their own hands lest they should get into the newspapers. I pray you to present my most friendly respects to your father, & wishes for the continuance of his health & good faculties, to accept yourself assurances of the esteem with which I am dear sir your most obedt & most humble servt.

TO FRENCH STROTHER. J. MSS.

PHILADELPHIA, June 8, 1797.

DEAR SIR,—In compliance with the desire you expressed in the few short moments I had the pleasure of being with you at Fredericksburg, I shall give you some account of what is passing here. The President's speech you will have seen; and how far its aspect was turned towards war. Our opinion here is that the Executive had that in contemplation, and

Digitized by Google

were not without expectation that the legislature might catch the flame. A powerful part of that has shown a disposition to go all lengths with the Executive; and they have been able to persuade some of more moderate principles to go so far with them as to join them in a very sturdy address. They have voted the compleating & manning the three frigates, & going on with the fortifications. The Senate have gone much further, they have brought in bills for buying more armed vessels, sending them & the frigates out as convoys to our trade, raising more cavalry, more artillerists, and providing a great army, to come into actual service only, if necessary. They have not decided whether they will permit the merchants to arm. The hope & belief is that the Representatives will concur in none of these measures, though their divisions hitherto have been so equal as to leave us under doubt & apprehension. The usual majorities have been from 1. to 6. votes, & these sometimes one way, sometimes the other. Three of the Virginia members dividing from their colleagues occasion the whole difficulty. If they decline these measures, we shall rise about the 17th inst. It appears that the dispositions of the French government towards us wear a very angry cast indeed, and this before Pickering's letter to Pinckney was known to them. We do not know what effect that may produce. We expect Paine every day in a vessel from Havre, & Colo Monroe in one from Bordeaux. Tobacco keeps up to a high price & will still rise; flour is dull at 7½ Dollars. I am, with great esteem, dear Sir, your friend and servant.

Digitized by Google

TO JAMES MADISON.[1] J. MSS.

PHILAD. June 8, 97.

Amdmt of address puttg France on equal footing clogged with demand for spoliation, which tho' right in principle, may enable Exve to make it sine qua non, to indulge their own disposns to rupture.

Repr. have voted complete & man frigates, go on with fortfycns. Will prob pass bill from Senate prohibg exportn arms & ammunition & preventg our citizens from engaging in armed vessels.

Bills for cavalry — artillery — 9 vessels — provnal army. Will pass Senate by 18 to 12.

Permittg merchts to arm negativd. in commee Senate 3 to 2. Bingham's informa that merchts did not wish it. Some of the Senate for it.

Smith & Harper proposed permit merchts to arm yesterday.

Buonaparte's late victory & panic of Brit govmt produced sensible effect here. Before that the party partly from inclinn partly devotn to Exve. willing to meet hostilities from France. Now will not force that nail but doing so much of most innocent things as may veil the folly or boldness of convening Congress, leave more offensive measures to issue of negocn or their own next meeting.

Difficult to say if Republicans have majority. Votes carrd both ways by from 1. to 6. Our 3 renegadoes make the difference. Clay firm. Never separated but on the vote mentd in former lre.

Paine expected.—Nothing of Monroe.

[1] Endorsed: "No copy retained. The above is the sum."

Digitized by Google

P. M. Represent. have decided 46 to 34. yt W. India trade shall not arm. Hence augur well of other resolns. Senate have voted on 2d. reading the 9. vessels. Cost 60 M. D. each these bills originating in Senate & going under their sanction to H. Repr in so vibratory a state, have mischievous effect. Expect to rise Saturday 17th. I shall probably be with you 26th or 27th.

TO JOHN MOODY. J. MSS.

PHILADELPHIA, June 13. 97.

SIR,—I might sooner have acknoleged the receipt of your favor of May 15. but I could not sooner have done it with anything satisfactory on the subject it concerned. The first opening of the session of Congress was rather inauspicious to those who consider war as among the greatest calamities to our country. Private conversation, public discussion, & thorough calculation, aided by the events of Europe, have nearly brought everyone to the same sentiment, not only to wish for a continuance of peace, but to let no false sense of honor lead us to take a threatening attitude, which to a nation prompt in its passions & flushed with victory might produce a blow from them. I rather believe that Congress will think it best to do little or nothing for the present to give fair play to the negotiation proposed, & in the meantime lie on their oars till their next meeting in November. Still however both English & French spoliations continue in a high degree. Perhaps the prospects in Europe

Digitized by Google

may deaden the activity of the former, & call home all their resources, but I see nothing to check the depredations of the French but the natural effect they begin to produce of starving themselves by deterring us from venturing to sea with provisions. This is the best general view I am able to give you of the probable course of things for the summer so far as they may be interesting to commerce. The liberties which the presses take in mutilating whatever they can get hold of, obliges me to request every gentleman to whom I write to take care that nothing from me may be put within their power.

TO JAMES MADISON. MAD. MSS.

PHILADELPHIA, June 15, 97.—A.M.

My last was of the 8th inst. I had enclosed you separately a paper giving you an account of Buonaparte's last great victory. Since that, we receive information that the preliminaries of peace were signed between France & Austria. Mr. Hammond will have arrived at Vienna too late to influence the terms. The victories lately obtained by the French on the Rhine, were as splendid as Buonaparte's. The mutiny on board the English fleet, tho' allayed for the present, has impressed that country with terror. King has written letters to his friends recommending a pacific conduct towards France, 'notwithstanding the continuance of her injustices.' Volney is convinced France will not make peace with England, because it is such an opportunity for sinking

Digitized by Google

her as she never had & may not have again. Buonaparte's army would have to march 700. miles to Calais. Therefore, it is imagined the armies of the Rhine will be destined for England. The Senate yesterday rejected on it's 2d reading their own bill for raising 4. more companies of light dragoons, by a vote of 15 to 13. Their cost would have been about 120,000 D a year. To-day the bill for manning the frigates & buying 9 vessels @ about 60,000 D each, comes to it's 3d reading. Some flatter us we may throw it out. The trial will be in time to mention the issue herein. The bills for preventing our citizens from engaging in armed vessels of either party, & for prohibitg exportation of arms & ammunition, have passed both houses. The fortification bill is before the Representatives still. It is thought by many that with all the mollifying clauses they can give it, it may perhaps be thrown out. They have a separate bill for manning the 3. frigates, but its fate is uncertain. 'These are probably the ultimate measures which will be adopted, if even these be adopted. The folly of the convocation of Congress at so inconvenient a season & an expense of 60,000 D, is now palpable to everybody; or rather it is palpable that war was the object, since, that being out of the question, it is evident there is nothing else. However, nothing less than the miraculous string of events which have taken place, to wit, the victories of the Rhine & Italy, peace with Austria, bankruptcy of England, mutiny in her fleet, and King's writing letters recommending peace, could have cooled the fury

Digitized by Google

of the British faction. Even all that will not prevent considerable efforts still in both houses to shew our teeth to France. We had hoped to have risen this week. It is now talked of for the 24th, but it is impossible yet to affix a time. I think I cannot omit being at our court (July 3,) whether Congress rises or not. If so, I shall be with you on the Friday or Saturday preceding. I have a couple of pamphlets for you, (Utrum Horum, & Paine's Agrarian Justice,) being the only things since Erskine which have appeared worth notice. Besides Bache's paper there are 2. others now accommodated to country circulation. Gale's (successor of Oswald) twice a week without advertisements at 4. dollars. His debates in Congress are the same with Claypole's. Also Smith proposes to issue a paper once a week, of news only, and an additional sheet while Congress shall be in session, price 4. dollars. The best daily papers now are Bradford's compiled by Lloyd, and Markland & Cary's. Claypole's you know. Have you remarked the pieces signed Fabius? they are written by John Dickinson.

P. M. The bill before the Senate for equipping the 3 frigates, & buying 9. vessels of not more than 20. guns, has this day passed on it's 3d reading by 16. against 13. The fortification bill before the representatives as amended in commee of the whole, passed to it's 3d reading by 48. against 41. Adieu affectionately, with my best respects to Mrs. Madison.

Digitized by Google

TO AARON BURR. J. MSS.

PHILADELPHIA, June 17, 1797.

DEAR SIR,—The newspapers give so minutely what is passing in Congress, that nothing of detail can be wanting for your information. Perhaps, however, some general view of our situation & prospects, since you left us, may not be unacceptable. At any rate, it will give me an opportunity of recalling myself to your memory, & of evidencing my esteem for you. You well know how strong a character of division had been impressed on the Senate by the British treaty. Common error, common censure, & common efforts of defence had formed the treaty majority into a common band, which feared to separate even on other subjects. Towards the close of the last Congress, however, it had been hoped that their ties began to loosen, & their phalanx to separate a little. This hope was blasted at the very opening of the present session, by the nature of the appeal which the President made to the nation; the occasion for which had confessedly sprung from the fatal British treaty. This circumstance rallied them again to their standard, and hitherto we have had pretty regular treaty votes on all questions of principle. And indeed I fear, that as long as the same individuals remain, so long we shall see traces of the same division. In the H of Representatives the republican body has also lost strength. The non-attendance of 5. or 6. of that description, has left the majority very equivocal indeed. A few individuals of no fixed system at all, governed by the panic or the prowess of the moment, flap as

Digitized by Google

the breeze blows against the republican or the aristocratic bodies, and give to the one or the other a preponderance entirely accidental. Hence the dissimilar aspect of the address, & of the proceedings subsequent to that. The inflammatory composition of the speech excited sensations of resentment which had slept under British injuries, threw the wavering into the war scale, and produced the war address. Buonaparte's victories & those on the Rhine, the Austrian peace, British bankruptcy, mutiny of the seamen, and mr. King's exhortations to pacific measures, have cooled them down again, & the scale of peace preponderates. The threatening propositions therefore, founded in the address, are abandoned one by one, & the cry begins now to be, that we have been called together to do nothing. The truth is, there is nothing to do, the idea of war being scouted by the events of Europe; but this only proves that war was the object for which we were called. It proves that the executive temper was for war; & that the convocation of the Representatives was an experiment on the temper of the nation, to see if it was in unison. Efforts at negociation indeed were promised; but such a promise was as difficult to withhold, as easy to render nugatory. If negociation alone had been meant, that might have been pursued without so much delay, and without calling the Representatives; and if strong & earnest negotiation had been meant, the additional nomination would have been of persons strongly & earnestly attached to the alliance of 1778. War then was intended. Whether abandoned or not, we must judge

Digitized by Google

from future indications & events; for the same secrecy & mystery is affected to be observed by the present, which marked the former administration. I had always hoped, that the popularity of the late president being once withdrawn from active effect, the natural feelings of the people towards liberty would restore the equilibrium between the Executive & Legislative departments, which had been destroyed by the superior weight & effect of that popularity; & that their natural feelings of moral obligation would discountenance the ungrateful predilection of the executive in favor of Great Britain. But unfortunately, the preceding measures had already alienated the nation who was the object of them, had excited reaction from them, & this reaction has on the minds of our citizens an effect which supplies that of the Washington popularity. This effect was sensible on some of the late congressional elections, & this it is which has lessened the republican majority in Congress. When it will be reinforced, must depend on events, & these are so incalculable, that I consider the future character of our republic as in the air; indeed its future fortune will be in the air, if war is made on us by France, & if Louisiana becomes a Gallo-American colony.

I have been much pleased to see a dawn of change in the spirit of your State. The late elections have indicated something, which, at a distance, we do not understand. However, what with the English influence in the lower, and the Patroon influence in the upper part of your State, I presume little is to be hoped. If a prospect could be once opened upon us

Digitized by Google

of the penetration of truth into the eastern States; if the people there, who are unquestionably republicans, could discover that they have been duped into the support of measures calculated to sap the very foundations of republicanism, we might still hope for salvation, and that it would come, as of old, from the east. But will that region ever awake to the true state of things? Can the middle, Southern & Western states hold on till they awake? These are painful & doubtful questions; and if, in assuring me of your health, you can give me a comfortable solution of them, it will relieve a mind devoted to the preservation of our republican government in the true form & spirit in which it was established, but almost oppressed with apprehensions that fraud will at length effect what force could not, & that what with currents & counter-currents, we shall, in the end, be driven back to the land from which we launched 20. years ago. Indeed, my dear Sir, we have been but a sturdy fish on the hook of a dexterous angler, who, letting us flounce till we have spent our force, brings us up at last.

I am tired of the scene, & this day sen'night shall change it for one, where, to tranquillity of mind may be added pursuits of private utility, since none public are admitted by the state of things.

I am, with great & sincere esteem, dear Sir, your friend and servant.

P. S. Since writing the above, we have received a report that the French Directory has proposed a declaration of war against the U. S. to the Council

Digitized by Google

of Antients, who have rejected it. Thus we see two nations who love one another affectionately, brought by the ill temper of their executive administrations, to the very brink of a necessity to imbrue their hands in the blood of each other.

TO ELBRIDGE GERRY. J. MSS.

PHILADELPHIA, June 21, 1797.

MY DEAR FRIEND,—It was with infinite joy to me, that you were yesterday announced to the Senate, as envoy extraordinary, jointly with Genl. Pinckney & mr. Marshall, to the French republic. It gave me certain assurance that there would be a preponderance in the mission, sincerely disposed to be at peace with the French government & nation. Peace is undoubtedly at present the first object of our nation. Interest & honor are also national considerations. But interest, duly weighed, is in favor of peace even at the expence of spoliations past & future; & honor cannot now be an object. The insults & injuries committed on us by both the belligerent parties, from the beginning of 1793 to this day, & still continuing, cannot now be wiped off by engaging in war with one of them. As there is great reason to expect this is the last campaign in Europe, it would certainly be better for us to rub thro this year, as we have done through the four preceding ones, and hope that on the restoration of peace, we may be able to establish some plan for our foreign connections more likely to secure our peace, interest & honor, in future. Our

Digitized by Google

countrymen have divided themselves by such strong affections, to the French & the English, that nothing will secure us internally but a divorce from both nations; and this must be the object of every real American, and it's attainment is practicable without much self-denial. But for this, peace is necessary. Be assured of this, my dear Sir, that if we engage in a war during our present passions, & our present weakness in some quarters, that our Union runs the greatest risk of not coming out of that war in the shape in which it enters it. My reliance for our preservation is in your acceptance of this mission. I know the tender circumstances which will oppose themselves to it. But it's duration will be short, and it's reward long. You have it in your power, by accepting and determining the character of the mission, to secure the present peace & eternal union of your country. If you decline, on motives of private pain, a substitute may be named who has enlisted his passions in the present contest, & by the preponderance of his vote in the mission may entail on us calamities, your share in which, & your feelings, will outweigh whatever pain a temporary absence from your family could give you. The sacrifice will be short, the remorse would be never ending. Let me, then, my dear Sir, conjure your acceptance, and that you will, by this act, seal the mission with the confidence of all parties. Your nomination has given a spring to hope, which was dead before. I leave this place in three days, and therefore shall not here have the pleasure of learning your determination. But it

Digitized by Google

will reach me in my retirement, and enrich the tranquillity of that scene. It will add to the proofs which have convinced me that the man who loves his country on it's own account, and not merely for it's trappings of interest or power, can never be divorced from it, can never refuse to come forward when he finds that she is engaged in dangers which he has the means of warding off. Make then an effort, my friend, to renounce your domestic comforts for a few months, and reflect that to be a good husband and good father at this moment, you must be also a good citizen. With sincere wishes for your acceptance & success, I am, with unalterable esteem, dear Sir, your affectionate friend and servant.

TO JAMES MADISON. J. MSS.

PHILADELPHIA, June 22, 97.

The Senate have this day rejected their own bill for raising a provisional army of 15,000 men. I think they will reject that for permitting private vessels to arm. The Representatives have thrown out the bill of the Senate for raising artillery. They (Wednesday) put off one forbidding our citizens to serve in foreign vessels of war till Nov, by a vote of 52. to 44. This day they came to a resolution proposing to the Senate to adjourn on Wednesday, the 28th, by a majority of 4. Thus it is now perfectly understood that the convocation of Congress is substantially condemned by their several decisions that nothing is to be done. I may be with you somewhat later than I

Digitized by Google

expected, say from the 1st to the 4th. Preliminaries of peace between Austria & France are signed. Dana has declined the mission to France. Gerry is appointed in his room, being supported in Senate by the republican vote; 6 nays of the opposite description. No news of Monroe or Payne. Adieu.

TO EDWARD RUTLEDGE. J. MSS.

PHILADELPHIA, June 24, 97.

MY DEAR SIR,—I have to acknolege your two favors of May 4 & 19, and to thank you for your attentions to the commissions for the peas & oranges, which I learn are arrived in Virginia. Your draft I hope will soon follow on Mr. John Barnes, merchant, here; who, as I before advised you, is directed to answer it.

When Congress first met, the assemblage of facts presented in the President's speech, with the multiplied accounts of spoliations by the French West Indians, appeared by sundry votes on the address, to incline a majority to put themselves in a posture of war. Under this influence the address was formed, & its spirit would probably have been pursued by corresponding measures, had the events of Europe been of an ordinary train. But this has been so extraordinary, that numbers have gone over to those, who, from the first, feeling with sensibility the French insults, as they had felt those of England before, thought now as they thought then, that war measures should be avoided, & those of peace pursued. Their

Digitized by Google

favorite engine, on the former occasion, was *commercial regulations*, in preference to negociations, to war preparations & increase of debt. On the latter, as we have no commerce with France, the restriction of which could press on them, they wished for negociation. Those of the opposite sentiment had, on the former occasion, preferred negociation, but at the same time voted for great war preparations, and increase of debt; now also they were for negociation, war preparations & debt. The parties have in debate mutually charged each other with inconsistency, & with being governed by an attachment to this or that of the belligerent nations, rather than the dictates of reason & pure Americanism. But, in truth, both have been consistent; the same men having voted for war measures who did before, & the same against them now who did before. The events of Europe coming to us in astonishing & rapid succession, to wit, the public bankruptcy of England, Buonaparte's successes, the successes on the Rhine, the Austrian peace, mutiny of the British fleet, Irish insurrection, a demand of 43. millions for the current services of the year, and, above all, the warning voice, as is said, of Mr. King, to abandon all thought of connection with Great Britain, that she is going down irrecoverably, & will sink us also, if we do not clear ourselves, have brought over several to the pacific party, so as, at present, to give majorities against all threatening measures. They go on with frigates and fortifications, because they were going on with them before. They direct 80,000 of their militia to hold themselves in

Digitized by Google

readiness for service. But they reject the propositions to raise cavalry, artillery, & a provisional army, & to trust private ships with arms in the present combustible state of things. They believe the present is the last campaign of Europe, & wish to rub through this fragment of a year as they have through the four preceding ones, opposing patience to insult, & interest to honor. They will, therefore, immediately adjourn. This is, indeed, a most humiliating state of things, but it commenced in 93. Causes have been adding to causes, & effects accumulating on effects, from that time to this. We had, in 93, the most respectable character in the universe. What the neutral nations think of us now, I know not; but we are low indeed with the belligerents. Their kicks & cuffs prove their contempt. If we weather the present storm, I hope we shall avail ourselves of the calm of peace, to place our foreign connections under a new & different arrangement. We must make the interest of every nation stand surety for it's justice, & their own loss to follow injury to us, as effect follows its cause. As to everything except commerce, we ought to divorce ourselves from them all. But this system would require time, temper, wisdom, & occasional sacrifice of interest; & how far all of these will be ours, our children may see, but we shall not. The passions are too high at present, to be cooled in our day. You & I have formerly seen warm debates and high political passions. But gentlemen of different politics would then speak to each other, & separate the business of

Digitized by Google

the Senate from that of society. It is not so now. Men who have been intimate all their lives, cross the streets to avoid meeting, & turn their heads another way, lest they should be obliged to touch their hats. This may do for young men with whom passion is enjoyment. But it is afflicting to peaceable minds. Tranquillity is the old man's milk. I go to enjoy it in a few days, & to exchange the roar & tumult of bulls & bears, for the prattle of my grand-children & senile rest. Be these yours, my dear friend, through long years, with every other blessing, & the attachment of friends as warm & sincere, as yours affectionately.

TO EDMUND RANDOLPH. J. MSS.

PHILADELPHIA, June 27, 97.

DEAR SIR,—I have to acknolege the receipt of your two favors of may 26. & 29, which came to hand in due time, and relieved my mind considerably, tho it was not finally done. During the vacation we may perhaps be able to hunt up the letters which are wanting, and get this tornado which has been threatening us, dissipated.

You have seen the speech & the address, so nothing need be said on them. The spirit of both has been so whittled down by Buonaparte's victories, the victories on the Rhine, the Austrian peace, Irish insurgency, English bankruptcy, insubordination of the fleet, &c., that Congress is rejecting one by one the measures brought in on the principles of their own address. But nothing less than such miraculous events as have been pouring in on us from the first of

Digitized by Google

our convening could have assuaged the fermentation produced in men's minds. In consequence of these events, what was the majority at first, is by degrees become the minority, so that we may say that in the Representatives moderation will govern. But nothing can establish firmly the republican principles of our government but an establishment of them in England. France will be the apostle for this. We very much fear that Gerry will not accept the mission to Paris. The delays which have attended this measure have left a dangerous void in our endeavors to preserve peace, which can scarcely be reconciled to a wish to preserve it. I imagine we shall rise from the 1st to the 3d of July. I am, Dear Sir, your friend and servant.

P. S. The interruption of letters is becoming so notorious, that I am forming a resolution of declining correspondence with my friends through the channels of the post altogether.

TO JAMES MADISON. MAD. MSS.

PHILADELPHIA, June 29. 97.

The day of adjournment walks before us like our shadow. We shall rise on the 3d or 4th of July. Consequently I shall be with you about the 8th or 9th. The two houses have jointly given up the 9. small vessels. The Senate have rejected at the 3d reading their own bill authorizing the President to lay embargoes. They will probably reject a very unequal tax passed by the Repr. on the venders of wines & spirituous liquors (not in retail). They have

Digitized by Google

passed a bill for postponing their next meeting to the constitutional day; but whether the Repr. will concur is uncertain. The Repr. are cooking up a stamp tax which it is thought themselves will reject. The fate of the bill for private armaments is yet undecided in the Senate. The expenses of the session are estimated at 80.000 Doll.—Monroe & family arrived here the day before yesterday, well. They will make a short visit to N. York & then set their faces homewards. My affectionate respects to Mrs. Madison, and salutations to yourself. Adieu.

TO JAMES MADISON. J. MSS.

MONTICELLO, July 24. 97.

In hopes that Mrs. Madison & yourself & Miss Madison will favor us with a visit when Colo Monroe calls on you, I write this to inform you that I have had the Shadwell & Secretary's ford both well cleaned. If you come the lower road, the Shadwell ford is the proper one. It is a little deepened but clear of stone & perfectly safe. If you come the upper road you will cross at the Secretary's ford, turning in at the gate on the road soon after you enter the 3. notched road. The draught up the mountain that way is steady but uniform. I see Hamilton has put a short piece into the papers in answer to Callender's publication, & promises shortly something more elaborate. I am anxious to see you here soon, because in about three weeks we shall begin to unroof our house, when the family will be obliged to go elsewhere for shelter. My affectionate respects to the family. Adieu.

Digitized by Google

PETITION TO VIRGINIA HOUSE OF DELEGATES.[1] J. MSS.

[Aug. 1797]

To the Speaker and House of Delegates of the Commonwealth of Virginia, being a Protest against interference of Judiciary between Representative and Constituent.

The petition of the subscribers, inhabitants of the counties of Amherst, Albemarle, Fluvanna, and Goochland, sheweth :

That by the constitution of this State, established from its earliest settlement, the people thereof have professed the right of being governed by laws to which they have consented by representatives chosen by themselves immediately : that in order to give to the will of the people the influence it ought to have, and the information which may enable them to exercise it usefully, it was a part of the common law, adopted as the law of this land, that their representatives, in the discharge of their functions, should be free from the cognizance or coercion of the co-ordinate branches, Judiciary and Executive ; and that their communications with their constituents should of right, as of duty also, be free, full, and unawed by any : that so necessary has this intercourse been deemed in the country from which they derive principally their descent and laws, that the correspondence between the representative and constituent is privileged there to pass free of expense through the channel of the public post, and that the proceedings of the legislature have been known to be arrested and suspended at times until the Representatives could go home to their several counties and confer with their constituents.

That when, at the epoch of Independence, the constitution was formed under which we are now governed as a commonwealth, so high were the principles of representative government esteemed, that the legislature was made to consist of two branches, both of them chosen immediately by the citizens ; and that general system of laws was continued which protected the relations between the representative and constituent, and guarded the functions of the former from the control of the Judiciary and Executive branches.

[1] See letters to Madison, Mercer, and Monroe, VII, pp. 166 and 171.

Digitized by Google

That when circumstances required that the ancient confederation of this with the sister States, for the government of their common concerns, should be improved into a more regular and effective form of general government, the same representative principle was preserved in the new legislature, one branch of which was to be chosen directly by the citizens of each State, and the laws and principles remained unaltered which privileged the representative functions, whether to be exercised in the State or General Government, against the cognizance and notice of the co-ordinate branches, Executive and Judiciary; and for its safe and convenient exercise, the inter-communication of the representative and constituent has been sanctioned and provided for through the channel of the public post, at the public expense.

That at the general partition of this commonwealth into districts, each of which was to choose a representative to Congress, the counties of Amherst, Albemarle, Fluvanna, and Goochland, were laid off into one district: that at the elections held for the said district, in the month of April, in the years 1795 and 1797, the electors thereof made choice of Samuel Jordan Cabell, of the county of Amherst, to be their representative in the legislature of the general government; that the said Samuel Jordan Cabell accepted the office, repaired at the due periods to the legislature of the General Government, exercised his functions there as became a worthy member, and as a good and dutiful representative was in the habit of corresponding with many of his constituents, and communicating to us, by way of letter, information of the public proceedings, of asking and receiving our opinions and advice, and of contributing, as far as might be with right, to preserve the transactions of the general government in unison with the principles and sentiments of his constituents: that while the said Samuel J. Cabell was in the exercise of his functions as a representative from this district, and was in the course of that correspondence which his duty and the will of his constituents imposed on him, the right of thus communicating with them, deemed sacred under all the forms in which our government has hitherto existed, never questioned or infringed even by Royal judges or governors, was openly and directly violated at a Circuit court of the General Government, held at the city of Richmond, for the

Digitized by Google

district of Virginia, in the month of May of this present year, 1797: that at the said court, A, B, &c., some of whom were foreigners, having been called upon to serve in the office of grand jurors before the said court, were sworn to the duties of said office in the usual forms of the law, the known limits of which duties are to make presentment of those acts of individuals which the laws have declared to be crimes or misdemeanors: that departing out of the legal limits of their said office, and availing themselves of the sanction of its cover, wickedly and contrary to their fidelity to destroy the rights of the people of this commonwealth, and the fundamental principles of representative government, they made a presentment of the act of the said Samuel J. Cabell, in writing letters to his constituents in the following words, to wit: "We, of the grand jury of the United States, for the district of Virginia, present as a real evil, the circular letters of several members of the late Congress, and particularly letters with the signature of Samuel J. Cabell, endeavoring, at a time of real public danger, to disseminate unfounded calumnies against the happy government of the United States, and thereby to separate the people therefrom; and to increase or produce a foreign influence, ruinous to the peace, happiness, and independence of these United States."

That the grand jury is a part of the Judiciary, not permanent indeed, but in office, *pro hac vice* and responsible as other judges are for their actings and doings while in office: that for the Judiciary to interpose in the legislative department between the constituent and his representative, to control them in the exercise of their functions or duties towards each other, to overawe the free correspondence which exists and ought to exist between them, to dictate what communications may pass between them, and to punish all others, to put the representative into jeopardy of criminal prosecution, of vexation, expense, and punishment before the Judiciary, if his communications, public or private, do not exactly square with their ideas of fact or right, or with their designs of wrong, is to put the legislative department under the feet of the Judiciary, is to leave us, indeed, the shadow, but to take away the substance of representation, which requires essentially that the representative be as free as his constituents would

Digitized by Google

be, that the same interchange of sentiment be lawful between him and them as would be lawful among themselves were they in the personal transaction of their own business; is to do away the influence of the people over the proceedings of their representatives by excluding from their knowledge, by the terror of punishment, all but such information or misinformation as may suit their own views; and is the more vitally dangerous when it is considered that grand jurors are selected by officers nominated and holding their places at the will of the Executive: that they are exposed to influence from the judges who are nominated immediately by the Executive, and who, although holding permanently their commissions as judges, yet from the career of additional office and emolument *actually* opened to them of late, whether *constitutionally* or not, are under all those motives which interest or ambition inspire, of courting the favor of that branch from which appointments flow: that grand juries are frequently composed in part of by-standers, often foreigners, of foreign attachments and interests, and little knowledge of the laws they are most improperly called to decide on; and finally, is to give to the Judiciary, and through them to the Executive, a complete preponderance over the legislature, rendering ineffectual that wise and cautious distribution of powers made by the constitution between the three branches, and subordinating to the other two that branch which most immediately depends on the people themselves, and is responsible to them at short periods.

That independently of these considerations of a constitutional nature, the right of free correspondence between citizen and citizen on their joint interests, public or private, and under whatsoever laws these interests arise, is a natural right of every individual citizen, not the gift of municipal law, but among the objects for the protection of which municipal laws are instituted: that so far as the attempt to take away this natural right of free correspondence is an offence against the privileges of the legislative house, of which the said Samuel J. Cabell is a member, it is left to that house, entrusted with the preservation of its own privileges, to vindicate its immunities against the encroachments and usurpations of a co-ordinate branch; but so far as it is an infraction of our individual rights as citizens by other citizens of our

Digitized by Google

own State, the judicature of this commonwealth is solely competent to its cognizance, no other possessing any powers of redress: that the commonwealth retains all its judiciary cognisances not expressly alienated in the grant of powers to the United States as expressed in their constitution: that that constitution alienates only those enumerated in itself, or arising under laws or treaties of the United States made in conformity with its own tenor: but the right of free correspondence is not claimed under that constitution nor the laws or treaties derived from it, but as a natural right, placed originally under the protection of our municipal laws, and retained under the cognizance of our own courts.

Your petitioners further observe that though this crime may not be specifically defined and denominated by any particular statute, yet it is a crime, and of the highest and most alarming nature; that the constitution of this commonwealth, aware it would sometimes happen that deep and dangerous crimes, pronounced as such in the heart of every friend to his country and its free constitution, would often escape the definitions of the law, and yet ought not to escape its punishments, fearing at the same time to entrust such undescribed offences to the discretion of ordinary juries and judges, has reserved the same to the cognizance of the body of the commonwealth acting by their representatives in general assembly, for which purpose provision is made by the constitution in the following words, to wit: "The Governor, when he is out of office, and *others* offending against the State, either by mal-administration, corruption, *or other means* by which the safety of the State may be endangered, shall be impeachable by the House of Delegates. Such impeachment to be prosecuted by the Attorney General or such other person or persons as the house may appoint in the general court, according to the laws of the land. If found guilty, he or they shall be either forever disabled to hold any office under government, or removed from such offices *pro tempore*, or subjected to such pains or penalties as the law shall direct."

Considering then the House of Delegates as the standing inquest of the whole commonwealth so established by the constitution, that its jurisdiction as such extends over all persons within its limits, and that no pale, no sanctuary has been erected

Digitized by Google

against their jurisdiction to protect offenders who have committed crimes against the laws of the commonwealth and rights of its citizens: that the crime committed by the said grand jurors is of that high and extraordinary character for which the constitution has provided extraordinary procedure: that though the violation of right falls in the first instance on us, your petitioners and the representative chosen immediately by us, yet in principle and consequence it extends to all our fellow-citizens, whose safety is passed away whenever their representatives are placed, in the exercise of their functions, under the direction and coercion of either of the other departments of government, and one of their most interesting rights is lost when that of a free communication of sentiment by speaking or writing is suppressed: We, your petitioners, therefore pray that you will be pleased to take your constitutional cognizance of the premises, and institute such proceedings for impeaching and punishing the said A, B, &c., as may secure to the citizens of this commonwealth their constitutional right: that their representatives shall in the exercise of their functions be free and independent of the other departments of government, may guard that full intercourse between them and their constituents which the nature of their relations and the laws of the land establish, may save to them the natural right of communicating their sentiments to one another by speaking and writing, and may serve as a terror to others attempting hereafter to subvert those rights and the fundamental principles of our constitution, to exclude the people from all direct influence over the government they have established by reducing that branch of the legislature which they choose directly, to a subordination under those over whom they have but an indirect, distant, and feeble control.

And your petitioners further submit to the wisdom of the two houses of assembly whether the safety of the citizens of this commonwealth in their persons, their property, their laws, and government, does not require that the capacity to act in the important office of a juror, grand or petty, civil or criminal, should be restrained in future to native citizens of the United States, or such as were citizens at the date of the treaty of peace which closed our revolutionary war, and whether the ignorance of our

Digitized by Google

laws and natural partiality to the countries of their birth are not reasonable causes for declaring this to be one of the rights incommunicable in future to adoptive citizens.

We, therefore, your petitioners, relying with entire confidence on the wisdom and patriotism of our representatives in General assembly, clothed preëminently with all the powers of the people which have not been reserved to themselves, or enumerated in the grant to the General Government delegated to maintain all their rights and relations not expressly and exclusively transferred to other jurisdictions, and stationed as sentinels to observe with watchfulness and oppose with firmness all movements tending to destroy the equilibrium of our excellent but complicated machine of government, invoke from you that redress of our violated rights which the freedom and safety of our common country calls for. We denounce to you a great crime, wicked in its purpose, and mortal in its consequences unless prevented, committed by citizens of this commonwealth against the body of their country. If we have erred in conceiving the redress provided by the law, we commit the subject to the superior wisdom of this house to devise and pursue such proceedings as they shall think best; and we, as in duty bound, shall every pray, &c.

TO JAMES MADISON. MAD. MSS.

MONTICELLO, Aug 3, 97.

I scribbled you a line on the 24th ult; it missed of the post, and so went by a private hand. I perceive from yours by mr. Bringhurst, that you had not received it. In fact, it was only an earnest exhortation to come here with Monroe, which I still hope you will do. In the meantime, I enclose you a letter from him, and wish your opinion on its principal subject. The variety of other topics the day I was with you, kept out of sight the letter to Mazzei imputed to me in the papers, the general substance of

Digitized by Google

which is mine, tho' the diction has been considerably varied in the course of it's translations from English into Italian, from Italian into French, & from French into English. I first met with it at Bladensburg, and for a moment conceived I must take the field of the public papers. I could not disavow it wholly, because the greatest part was mine, in substance tho' not in form. I could not avow it as it stood, because the form was not mine, and, in one place, the substance very materially falsified. This, then, would render explanations necessary; nay, it would render proofs of the whole necessary, & draw me at length into a publication of all (even the secret) transactions of the administration while I was of it; and embroil me personally with every member of the Executive, with the Judiciary, and with others still. I soon decided in my own mind, to be entirely silent. I consulted with several friends at Philadelphia, who, every one of them, were clearly against my avowing or disavowing, & some of them conjured me most earnestly to let nothing provoke me to it. I corrected, in conversation with them, a substantial misrepresentation in the copy published. The original has a sentiment *like* this (for I have it not before me), "they are endeavoring to submit us to the substance, as they already have to the *forms* of the British government;" meaning by *forms*, the birth-days, levees, processions to parliament, inauguration pomposities, &c. But the copy published says, "as they have already submitted us to the *form* of the British," &c., making me express hostility to the form of our government, that is

Digitized by Google

to say, to the constitution itself. For this is really the difference of the word *form*, used in the singular or plural, in that phrase, in the English language. Now it would be impossible for me to explain this publicly, without bringing on a personal difference between Genl Washington & myself, which nothing before the publication of this letter has ever done. It would embroil me also with all those with whom his character is still popular, that is to say, nine tenths of the people of the U S; and what good would be obtained by my avowing the letter with the necessary explanations? Very little indeed, in my opinion, to counterbalance a good deal of harm. From my silence in this instance, it can never be inferred that I am afraid to own the general sentiments of the letter. If I am subject to either imputation, it is to that of avowing such sentiments too frankly both in private & public, often when there is no necessity for it, merely because I disdain everything like duplicity. Still, however, I am open to conviction. Think for me on the occasion, and advise me what to do, and confer with Colo Monroe on the subject.

Let me entreat you again to come with him; there are other important things to consult on. One will be his affair. Another is the subject of the petition now enclosed you, to be proposed to our district, on the late presentment of our representative by the grand jury: the idea it brings forward is still confined to my own breast. It has never been mentioned to any mortal, because I first wish your opinion on the expediency of the measure. If you approve it, I shall

Digitized by Google

propose to P. Carr or some other, to father it, and to present it to the counties at their general muster. This will be in time for our Assembly. The presentment going in the public papers just at the moment when Congress was together, produced a great effect both on it's friends & foes in that body, very much to the disheartening & mortification of the latter. I wish this petition, if approved, to arrive there under the same circumstance, to produce the counter-effect so wanting for their gratification. I could have wished to receive it from you again at our court on Monday, because P. Carr & Wilson Nicholas will be there, and might also be consulted, and commence measures for putting it into motion. If you can return it then, with your opinion and corrections, it will be of importance. Present me affectionately to mrs. Madison, & convey to her my entreaties to interpose her good offices & persuasives with you to bring her here, and before we uncover our house, which will yet be some weeks.

Salutations & Adieu.

TO ST. GEORGE TUCKER. J. MSS.

MONTICELLO, Aug 28, 97.

DEAR SIR,—I have to acknolege the receipt of your two favors of the 2d & 22d inst. and to thank you for the pamphlet covered by the former.[1] You know my subscription to it's doctrines; and to the mode of emancipation, I am satisfied that that must be a matter of compromise between the passions, the

[1] "Dissertation on Slavery."

Digitized by Google

prejudices, & the real difficulties which will each have their weight in that operation. Perhaps the first chapter of this history, which has begun in St. Domingo, & the next succeeding ones, which will recount how all the whites were driven from all the other islands, may prepare our minds for a peaceable accommodation between justice, policy & necessity; & furnish an answer to the difficult question, whither shall the colored emigrants go? and the sooner we put some plan underway, the greater hope there is that it may be permitted to proceed peaceably to it's ultimate effect. But if something is not done, & soon done, we shall be the murderers of our own children. The 'murmura venturos nautis prodentia ventos' has already reached us; the revolutionary storm, now sweeping the globe, will be upon us, and happy if we make timely provision to give it an easy passage over our land. From the present state of things in Europe & America, the day which begins our combustion must be near at hand; and only a single spark is wanting to make that day to-morrow. If we had begun sooner, we might probably have been allowed a lengthier operation to clear ourselves, but every day's delay lessens the time we may take for emancipation. Some people derive hope from the aid of the confederated States. But this is a delusion. There is but one state in the Union which will aid us sincerely, if an insurrection begins, and that one may, perhaps, have it's own fire to quench at the same time. The facts stated in yours of the 22d, were not identically known to me, but others like them were.

Digitized by Google

From the general government no interference need be expected. Even the merchant and navigator, the immediate sufferers, are prevented by various motives from wishing to be redressed. I see nothing but a State procedure which can vindicate us from the insult. It is in the power of any single magistrate, or of the Attorney for the Commonwealth, to lay hold of the commanding officer, whenever he comes ashore, for the breach of the peace, and to proceed against him by indictment. This is so plain an operation, that no power can prevent it's being carried through with effect, but the want of will in the officers of the State. I think that the matter of finances, which has set the people of Europe to thinking, is now advanced to that point with us, that the next step, & it is an unavoidable one, a land tax, will awaken our constituents, and call for inspection into past proceedings. I am, with great esteem, dear Sir, your friend and servant.

TO COLONEL ARTHUR CAMPBELL. J. MSS.

MONTICELLO, Sepr 1, 97.

DEAR SIR,—I have to acknolege the receipt of your favor of July 4. and to recognize in it the sentiments you have ever held, & worthy of the day on which it is dated. It is true that a party has risen up among us, or rather has come among us, which is endeavoring to separate us from all friendly connection with France, to unite our destinies with those of Great Britain, & to assimilate our government to theirs. Our lenity in permitting the return of the

Digitized by Google

old tories, gave the first body to this party; they have been increased by large importations of British merchants and factors, by American merchants dealing on British capital, and by stock dealers & banking companies, who, by the aid of a paper system, are enriching themselves to the ruin of our country, and swaying the government by their possession of the printing presses, which their wealth commands, and by other means, not always honorable to the character of our countrymen. Hitherto, their influence & their system has been irresistible, and they have raised up an Executive power which is too strong for the legislature. But I flatter myself they have passed their zenith. The people, while these things were doing, were lulled into rest and security from a cause which no longer exists. No prepossessions now will shut their ears to truth. They begin to see to what port their leaders were steering during their slumbers, and there is yet time to haul in, if we can avoid a war with France. All can be done peaceably, by the people confiding their choice of Representatives & Senators to persons attached to republican government & the principles of 1776, not office-hunters, but farmers, whose interests are entirely agricultural. Such men are the true representatives of the great American interest, and are alone to be relied on for expressing the proper American sentiments. We owe gratitude to France, justice to England, good will to all, and subservience to none. All this must be brought about by the people, using their elective rights with prudence & self-possession, and not suffering themselves to be duped by treacherous emissaries. It was by

Digitized by Google

the sober sense of our citizens that we were safely and steadily conducted from monarchy to republicanism, and it is by the same agency alone we can be kept from falling back. I am happy in this occasion of reviving the memory of old things, and of assuring you of the continuance of the esteem & respect of, dear Sir, your friend and servant.

TO JOHN FRANCIS MERCER. J. MSS.

MONTICELLO, September 5, 1797.

* * * We have now with us our friend Monroe. He is engaged in stating his conduct for the information of the public. As yet, however, he has done little, being too much occupied with re-arranging his household. His preliminary skirmish with the Secretary of state has, of course, bespoke a suspension of the public mind, till he can lay his statement before them. Our Congressional district is fermenting under the presentment of their representative by the Grand jury: and the question of a Convention for forming a State Constitution will probably be attended to in these parts. These are the news of our canton. Those of a more public nature you know before we do. My best respects to mrs. Mercer, and assurances to yourself of the affectionate esteem of, dear Sir, your friend and servant.

TO JAMES MONROE. J. MSS.

MONTICELLO, Sep 7, 97.

The doubt which you suggest as to our jurisdiction over the case of the grand jury *vs.* Cabell, had occurred to me, & naturally occurs on first view of the ques-

Digitized by Google

tion. But I knew, that to send the petition to the Ho of Represent. in Congress, would make bad worse; that a majority of that House would pass a vote of approbation. On examination of the question, too, it appeared to me that we could maintain the authority of our own government over it.

A right of free correspondence between citizen & citizen, on their joint interests, whether public or private, & under whatsoever laws these interests arise, (to wit, of the state, of Congress, of France, Spain, or Turkey), is a natural right; it is not the gift of any municipal law, either of England, or of Virginia, or of Congress; but in common with all our other natural rights, is one of the objects for the protection of which society is formed, & municipal laws established.

The courts of this commonwealth (and among them the General court, as a court of impeachment) are originally competent to the cognizance of all infractions of the rights of one citizen by another citizen; and they still retain all their judiciary cognizances not expressly alienated by the federal constitution.

The federal constitution alienates from them all cases arising, 1st, under that constitution; 2dly, under the laws of Congress; 3dly, under treaties, &c. But this right of free correspondence, whether with a public representative in General assembly, in Congress, in France, in Spain, or with a private one charged with a pecuniary trust, or with a private friend the object of our esteem, or any other, has not been given to us under, 1st, the federal constitution;

Digitized by Google

2dly, any law of Congress; or 3dly, any treaty; but as before observed, by nature. It is therefore not alienated, but remains under the protection of our courts.

Were the question even doubtful, it is no reason for abandoning it. The system of the General government, is to seize all doubtful ground. We must join in the scramble, or get nothing. Where first occupancy is to give a right, he who lies still loses all. Besides, it is not right for those who are only to act in a preliminary form, to let their own doubts preclude the judgment of the court of ultimate decision. We ought to let it go to the Ho of delegates for their consideration, & they, unless the contrary be palpable, ought to let it to go to the General court, who are ultimately to decide on it.

It is of immense consequence that the States retain as complete authority as possible over their own citizens. The withdrawing themselves under the shelter of a foreign jurisdiction, is so subversive of order and so pregnant of abuse, that it may not be amiss to consider how far a law of *præmunire* should be revived & modified, against all citizens who attempt to carry their causes before any other than the State courts, in cases where those other courts have no right to their cognizance. A plea to the jurisdiction of the courts of their State, or a reclamation of a foreign jurisdiction, if adjudged valid, would be safe; but if adjudged invalid, would be followed by the punishment of *præmunire* for the attempt.

Think further of the preceding part of this letter, and we will have further conference on it. Adieu.

Digitized by Google

P. S. Observe, that it is not the breach of mr. Cabell's privilege which we mean to punish: that might lie with Congress. It is the wrong done to the citizens of our district. Congress has no authority to punish that wrong. They can only take cognizance of it in vindication of their member.

TO ALEXANDER WHITE. J. MSS.

MONTICELLO, Sept. 10, 97.

DEAR SIR,—So many persons have of late found an interest or a passion gratified by imputing to me sayings and writings which I never said or wrote, or by endeavoring to draw me into newspapers to harass me personally, that I have found it necessary for my quiet & my other pursuits to leave them in full possession of the field, and not to take the trouble of contradicting them in private conversation. If I do it now, it is out of respect to your application, made by private letter & not thro' the newspapers, & under the perfect assurance that what I write to you will not be permitted to get into a newspaper, while you are at full liberty to assert it in conversation under my authority.

I never gave an opinion that the Government would not remove to the federal city. I never entertained that opinion; but on the contrary, whenever asked the question, I have expressed my full confidence that they would remove there. Having had frequent occasion to declare this sentiment, I have endeavored to conjecture on what a contrary one

Digitized by Google

could have been ascribed to me. I remember that in Georgetown, where I passed a day in February in conversation with several gentlemen on the preparations there for receiving the government, an opinion was expressed by some, & not privately, that there would be few or no private buildings erected in Washington this summer, and that the prospect of their being a sufficient number in time, was not flattering. This they grounded on the fact that the persons holding lots, from a view to increase their means of building, had converted their money at low prices, into Morris & Nicholson's notes, then possessing a good degree of credit, & that having lost these by the failure of these gentlemen, they were much less able to build than they would have been. I then observed, and I did it with a view to excite exertion, that if there should not be private houses in readiness sufficient for the accommodation of Congress & the persons annexed to the Government, it could not be expected that men should come there to lodge, like cattle, in the fields, and that it highly behooved those interested in the removal to use every exertion to provide accommodations. In this opinion, I presume I shall be joined by yourself & every other. But delivered, as it was, only on the hypothesis of a fact stated by others, it could not authorize the assertion of an absolute opinion, separated from the statement of fact on which it was hypothetically grounded. I have seen no reason to believe that Congress have changed their purpose with respect to the removal. Every public indication from them, & every sentiment

Digitized by Google

I have heard privately expressed by the members, convinces me they are steady in the purpose. Being on this subject, I will suggest to you, what I did privately at Georgetown to a particular person, in confidence that it should be suggested to the managers, if in event it should happen that there should not be a sufficiency of private buildings erected within the proper time, would it not be better for the commissioners to apply for a suspension of the removal for one year, than to leave it to the hazard which a contrary interest might otherwise bring on it? Of this however you have yet two summers to consider, and you have the best knolege of the circumstances on which a judgment may be formed whether private accommodations will be provided. As to the public buildings, every one seems to agree that they will be in readiness.

I have for five or six years been encouraging the opening a direct road from the Southern part of this State, leading through this county to Georgetown. The route proposed is from Georgetown by Colol. Alexander's, Elk-run Church, Norman's Ford, Stevensburg, the Racoon Ford, the Marquis's Road, Martin Key's Ford on the Rivanna, the mouth of Slate River, the high bridge on Appomattox, Prince Edward C. H., Charlotte C. H., Cole's ferry on Stanton, Dix's ferry on Dan, Guilford C. H., Salisbury, Croswell's ferry on Saluda, Ninety-six, Augusta. It is believed this road will shorten the distance along the continent 100. miles. It will be to open anew only from Georgetown to Prince Edward courthouse.

Digitized by Google

An actual survey has been made from Stevensburg to Georgetown, by which that much of the road will be shortened 20. miles, & be all a dead level. The difficulty is to get it first through Fairfax & Prince William. The counties after that will very readily carry it on. We consider it as opening to us a direct road to the market of the federal city, for all the beef & mutton we could raise, for which we have no market at present. I am in possession of the survey, & had thought of getting the Bridge co at Georgetown to undertake to get the road carried through Fairfax & Prince William, either by those counties or by themselves. But I have some apprehension that by pointing our road to the bridge, it might get out of the level country, and be carried over the hills, which will be but a little above it. This would be inadmissible. Perhaps you could suggest some means of our getting over the obstacle of those two counties. I shall be very happy to concur in any measure which can effect all our purposes. I am with esteem, dear Sir, your most obedient servant.

TO JAMES MONROE. J. MSS.

MONTICELLO Oct. 25. 97.

I like your second title better than the first because it is shorter. I should like the following better than either: "The Foreign affairs of the U. S. during the years 1794.5.6. laid before his fellow citizens by J. M. their late M. P. to the Republic of France." The reason of my preference is that it implies no inculpa-

Digitized by Google

tion of the Executive. Such an implication will determine prejudiced men against buying or reading the book. The following title would be better but for one reason: "An account of the foreign affairs of the U. S. during the years 1794.5.6 rendered to his fellow citizens by J. M. their late M. P. to the Republic of France," but that it would raise the old hue and cry against the attempt to separate the people from their government. For this reason it might be questionable whether the words "laid before his fellow citizens" in the first title I propose, had not better be omitted. In that case the words "a view of" should be premised, so as to make it "a view of the Foreign affairs of the U. S. during &c.— by J. M. &c. Decide among them.

I should not be for publishing the long letters from the Secy of State to Fauchet, & Hammond, because they were no part of your business & because they are already printed by the Executive. Perhaps it would be well to refer in a note to E. R.'s letter to you that it enclosed such and such letters which may be seen in such a publication, quoting the pages. I rather think that to you relative to Fenwick ought to be published 1. because it is to you. 2. because it will show how vigorous they were when the English interests were affected. 3. because it was a malversation in Fenwick if true, & ought to be published for the honor of the U. S. & warning to other consuls. Skipwith's report might be referred to as already printed. As to the question whether a Minister is that of his country or of G. W. or J. A. I do not

Digitized by Google

think will need a very formal discussion. A bare statement of it with a few such strong observations as will occur currente calamo, will suffice. Still it is necessary to be stated, to bring indolent readers to reflection. Appearances might otherwise lead them astray. Adieu.

TO JOHN WAYLES EPPES. J. MSS.

PHILADELPHIA Dec. 21. 97.

Presuming that you get the newspapers I shall not repeat the public news which they detail. The great victory obtained by the English over the Dutch fleet is placed beyond doubt. They have taken 9. out of 16. As to the proceedings of Congress, they have passed a bill putting off the commencement of the Stamp act till July next. The land tax will not be taken up this session. It is suspected that the approaching elections have had as much influence in both these measures, as the condition of the Treasury, which is said to be better than was expected. Congress therefore have absolutely nothing to do, but to wait for news from our Parisian envoys. If that is of a peaceable aspect I know nothing which ought to keep us long from home. And that it will be of peaceable aspect there is solid reason to expect, notwithstanding the newspaper paragraphs of a contrary import, fabricated to give a hostile impulse to Congress. We learn from Norfolk that Barry is made Judge of Admiralty in the French West Indies, & has forbidden the capture of any American vessels except going to rebel ports. This looks as if they

Digitized by Google

wish to distinguish between real American vessels, & English ones under American papers. They suppose & probably that Barry will be able to distinguish them.

I send according to your desire Paine's letter. In my next I will enclose another pamphlet on the same subject. Monroe's book appears this day. It is of near 500. pages, consequently too large to go by post. Bache will send on 2. or 300 copies to Richmond. I have put on board Stratton's schooner an anvil, vice & beek-iron for George, proposing as soon as he receives them, that Isaac shall take those he has. We had hoped 2. or 3. days ago that the vessels here would have got out. But the weather has now set in so as to render it doubtful whether they are not shut for the winter. If so, it will be February before these things get on. You would do well to employ Isaac in the meantime in preparing coal for his year's work. He should have about 2000. bushels laid in. Nor will it be amiss to cord his wood in order to excite him to an emulation in burning it well. I am in hopes you or mr. Randolph will prepare for the road contract. It is very interesting to us all. Tell my dear Maria I received her letter of the 8th from Chestnut Grove this day. I will write to her next. In the meantime convey to her the warmest expressions of my love. Present me affectionately to mr. & mrs. Eppes & to all the younger ones. Adieu with sincere affection.

P. S. I am entirely at a loss to what post office to direct your letters. I have conjectured you have most intercourse with Petersburg.

Digitized by Google

TO JOHN TAYLOR J. MSS.

PHILADELPHIA Dec. 23. 97.

DEAR SIR—* * * Our stamp act is put off till July next. The land tax will also be put off. The approach of the elections may have had its weight in both these measures. The affluence of the Treasury has rendered it possible to go on a year longer without a land tax. The questions about beginning a Navy & permitting our merchants (alias the English merchants) to arm & begin the war for us, must of course be discussed, because the speech has recommended these measures, But I see no reason to apprehend any change in the opinion of Congress on these points since the summer session. These therefore & Blount's impeachment will serve to give us an appearance of business for sometime. For an honest truth I believe every man here acknoleges we have nothing to do: that there is literally nothing which the public good requires us to act upon. As we are together, I think myself we ought not to separate till we hear from our envoys at Paris & I think we may expect by the last of January not only to hear from them, but to see what is likely to be the aspect of our affairs with France. If peaceable, I know no reason why we should not go home immediately, & economise something on the daily expenses of our session, which in truth are enormous. The French envoy here tells me he has a letter from his government mentioning that they expect our envoys & that they will be well received. A pamphlet written by Fauchet is come here. I have not read it but I understand that the

Digitized by Google

sum of it is that our Executive are the enemies of France, our citizens generally friendly, but that the mutual interests of both countries require a continuance of friendly intercourse between the two republics. A bill extending for three years the law respecting foreign coins has passed the representatives with some difficulty & may possibly fail in the Senate. Whether [*illegible*] fears for the mint or whether ground [*illegible*] I know not. But if it fails we are left almost without a coin for legal tenders. As you are in session it behooves you to see that your laws fixing the value of foreign coin & making them a tender are in [*illegible*] footing. By the constitution Congress may regulate the value of foreign coin, but if they do not do it, the old power revives to the state, the Constitution only forbidding them to make anything but gold & silver coin a tender in payment of debts. This construction is admitted here by persons not disposed to give to the states more powers than they are entitled to. Adieu. Affectionately.

TO JAMES MONROE. J. MSS.

PHILADELPHIA, Dec. 27, 97.

DEAR SIR,—I communicated to Mr. M. the evening I was with him the papers you sent by me for Mr. D. He was clearly of opinion nothing further ought to be done. D. was decisively of the same opinion. This being the case then there was no ground for consulting L. or B. & accordingly nothing has been

Digitized by Google

said to them. Your book was later coming than was to have been wished: however it works irresistably. It would be very gratifying to you to hear the unqualified eulogies both on the matter & manner by all who are not hostile to it from principle. A pamphlet written by Fauchet (and now reprinting here) reinforced the views you have presented of the duplicity of the administration here. The Republican party in the H. of Representatives is stronger than its antagonistic party in all strong questions. Today on a question to put off a bill for permitting private vessels to arm, it was put off to the 1st Monday of Feb. by 40. to 37. & on a motion to reconsider was confirmed by 44. to 38. We have half a dozen members absent, who if here would give decisive preponderance. Two of these are of our state, Giles & Cabell. The stamp act is put off to July, & the Land tax will not be touched this session. Before the next the elections will be over. We have therefore literally nothing to do, but to await intelligence from our envoys at Paris, & as soon as we learn that our affairs there will be of peaceable aspect (as there is reason to expect) I see nothing which ought to keep us here. The question about building a navy, to be sure must be discussed out of respect to the speech: but it will only be to reject them. A bill has passed the representatives giving three years longer currency to foreign coins. It is in danger in the Senate. The effect of stopping the currency of gold & silver is to force bank paper through all the states. However I presume the state legislatures will exercise their ac-

Digitized by Google

knoleged right of regulating the value of foreign coins, when not regulated by Congress, & their exclusive right of declaring them a tender. The Marquis Fayette was expected in the ship John from Hamburg. She is cast away in this river. 70 passengers were said to be got ashore & the rest still remaining on the wreck, but we do not know that he was actually a passenger. Some late elections have been remarkable. Lloyd of Maryland in the place of Henry by a majority of 1. against Winder the Republican candidate. Chipman, Senator of Vermont, by a majority of 1. against J. Smith the Republican candidate. Tichenor chosen governor of Vermont by a small majority against the Republican candidate. Governor Robertson of that state writes that the people there are fast coming over to a sound understanding of the state of our affairs. The same is said of some other of the N. England states. In this state that spirit rises very steadily. The Republicans have a firm majority of about 6. in the H. of Representatives here, a circumstance which has not been seen for some years. Even their Senate is purifying. The contest for the government will be between McKean & Ross, & will probably be an extreme hard one. In N. York it will be the same between Livingston & Jay, who is becoming unpopular with his own party. We are anxious to see how the N. York representatives are. The dismission of Tench Coxe from office without any reason assigned is considered as one of the bold acts of the President. Tant mieux. As soon as Fauchet's pamphlet appears I will send you a copy.

Digitized by Google

Your book so far has sold rapidly. I received from mr. Madison paper for 500 D. for you, which will be paid in the course of a few weeks. I shall desire Barnes to receive and hold it subject to your order. Present me respectfully to mrs. Monroe & accept assurances of my sincere friendship. Adieu.

TO JOHN PAGE. J. MSS.

PHILADELPHIA Jan. 1. 1798.

MY DEAR PAGE,—You have probably seen or heard of some very abusive letters addressed to me in the publick papers by a mr. Martin of Baltimore on the subject of Logan's speech cited in the notes on Virginia. I do not mean to notice mr. Martin or to go into the newspapers on the subject, but I am still anxious to inquire into the foundation of that story, and if I find anything wrong in it it shall be corrected, & what is right supported either in some new edition of that work or in an Appendix to it. You & I were so much together about the year 1774, that I take for granted that whatsoever I heard you heard also, & therefore that your memory can assist mine in recollecting the substance of the story, how it came to us, & who could now be applied to to give information relative to it. You were more in Ld Dunmore's & Foy's company than I was, & probably heard more of it from that family than I did. I must pray you to rub up your recollection & communicate to me as fully as you can what you can recall to your mind relative to it. & if you can procure me the evidence,

Digitized by Google

or the recollections of any other persons on it, it will much oblige me. We have now been met 7. weeks & have done nothing except put off the stamp act to July next. Nor does it seem as if there would be anything to do. We are waiting for news from France. A letter from Talleyrand (French Minister of Foreign Affairs) to mr. Le Tombe consul here, dated the day after the arrival of our ministers at Paris, says they will be well received, & that every disposition exists on the side of France to accommodate their differences with us. I imagine you will have seen Monroe's work, as many copies were sent to Richmond by Bache. We hourly expect Fauchet's pamphlet from the same press. I will send you a copy. Present me respectfully to mrs. Page & accept assurances of the constant friendship of my Dear Sir, Yours affectionately.

TO MANN PAGE. J. MSS.

PHILADELPHIA, Jan. 2, 1798.

DEAR SIR,—I do not know whether you have seen some very furious abuse of me in the Baltimore papers by a mr. Luther Martin, on account of Logan's speech, published in the "Notes on Virginia." He supposes both the speech & story made by me to support an argument against Buffon. I mean not to enter into a newspaper contest with mr. Martin; but I wish to collect, as well as the lapse of time will permit, the evidence on which we received that story. It was brought to us I remember by Ld Dunmore & his offi-

Digitized by Google

cers on their return from the expedition of 1774. I am sure it was from them that I got it. As you were very much in the same circle of society in Wmsburg with myself, I am in hopes your memory will be able to help out mine, and recall some facts which have escaped me. I ask it as a great favor of you to endeavor to recollect, & to communicate to me all the circumstances you possibly can relative to this matter, particularly the authority on which we received it, & the names of any persons who you think can give me information. I mean to fix the fact with all possible care and truth, and either to establish or correct the former statement in an Appendix to the "Notes on Virginia," or in the first republication of the work.

Congress have done nothing interesting except postponing the Stamp Act. An act continuing the currency of the foreign coins 3. years longer has passed the Representatives, but was lost in the Senate. We have hopes that our envoys will be received decently at Paris, and some compromise agreed on. There seems to be little appearance of peace in Europe. Those among us who were so timid when they apprehended war with England, are now bold in propositions to arm. I do not think however that the Representatives will change the policy pursued by them at their summer session. The land tax will not be brought forward this year. Congress of course have no real busines to be employed on. We may expect in a month or six weeks to hear so far from our commissioners at Paris as to judge what will be

Digitized by Google

the aspect of our situation with France. If peaceable, as we hope, I know of nothing which should keep us together. In my late journey to this place, I came through Culpeper & Prince William to Georgetown. When I return, it will be through the eastern shore (a country I have never seen), by Norfolk & Petersburg; so that I shall fail then also of the pleasure of seeing you. Present my respectful compliments to mrs. Page, and accept assurances of the sincere esteem of, dear Sir, your friend and servant.

TO JAMES MADISON. MAD. MSS.

P. Jan. 3, 1798.

DEAR SIR,—* * * Our weather has been here, as with you, cold & dry. The thermometer has been at 8°. The river closed here the first week of December, which has caught a vast number of vessels destined for departure. It deadens also the demand for wheat. The price at New York is 1.75 & of flour 8.50 to 9.; tobacco 11. to 12. D.; there need be no doubt of greater prices. The bankruptcies here continue: the prison is full of the most reputable merchants, & it is understood that the scene has not yet got to its height. Prices have fallen greatly. The market is cheaper than it has been for 4. years. Labor & house rent much reduced. Dry goods somewhat. It is expected they will fall till they get nearly to old prices. Money scarce beyond all example.

The Representatives have rejected the President's proposition for enabling him to prorogue them. A

Digitized by Google

law is passed putting off the stamp act till July next. The land tax will not be brought on. The Secretary of the Treasury says he has money enough. No doubt these two measures may be taken up more boldly at the next session, when most of the elections will be over. It is imagined the stamp act will be extended or attempted on every possible object. A bill has passed the Rep to suspend for 3. years the law arresting the currency of foreign coins. The Senate propose an amendment, continuing the currency of the foreign gold only. Very possibly the bill may be lost. The object of opposing the bill is to make the French crowns a subject of speculation (for it seems they fell on the President's proclamation to a Dollar in most of the states), and to force bank paper (for want of other medium) through all the states generally. Tench Coxe is displaced & no reason ever spoken of. It is therefore understood to be for his activity during the late election. It is said, that the people from hence quite to the Eastern extremity are beginning to be sensible that their government has been playing a foul game. In Vermont, Chipman was elected Senator by a majority of one, against the republican candidate. In Maryland, Lloyd by a majority of one, against Winder the republican candidate. Tichenor chosen Governor of Vermont by a very small majority. The house of Representatives of this state has become republican by a firm majority of 6. Two counties, it is said, have come over generally to the republican side. It is thought the republicans have also a majority in the N York

Digitized by Google

H of representatives. Hard elections are expected there between Jay & Livingston, & here between Ross & McKean. In the H of Representatives of Congress, the republican interest has at present, on strong questions, a majority of about half a dozen, as is conjectured, & there are as many of their firmest men absent; not one of the anti-republicans is from his post. The bill for permitting private vessels to arm, was put off to the 1st Monday in February by a sudden vote, & a majority of five. It was considered as an index of their dispositions on that subject, tho some voted both ways on other ground. It is most evident, that the anti-republicans wish to get rid of Blount's impeachment. Many metaphysical niceties are handing about in conversation, to shew that it cannot be sustained. To show the contrary, it is evident must be the task of the republicans, or of nobody. Monroe's book is considered as masterly by all those who are not opposed in principle, and it is deemed unanswerable. An answer, however, is commenced in Fenno's paper of yesterday, under the signature of Scipio. The real author not yet conjectured.[1] As I take these papers merely to preserve them, I will forward them to you, as you can easily return them to me on my arrival at home; for I shall not see you on my way, as I mean to go by the Eastern Shore & Petersburg. Perhaps the paragraphs in some of these abominable papers may draw from you now & then a squib. A pamphlet of Fauchet's appeared yesterday. I send you a copy under another

[1] Scipio was Uriah Tracy, and the letters were afterwards collected in book form.

Digitized by Google

cover. A handbill is just arrived here from N Y, where they learn from a vessel which left Havre about the 9th of Nov, that the emperor had signed the definitive articles, given up Mantua, evacuated Mentz, agreed to give passage to the French troops into Hanover, and that the Portuguese ambassador had been ordered to quit Paris, on account of the seizure of fort St. Julian's by the English, supposed with the connivance of Portugal. Tho this is ordinary mercantile news, it looks like truth. The latest official intelligence from Paris, is from Talleyrand Perigord to the French consul here, (Letombe,) dated Sep 28, saying that our Envoys were arrived, & would find every disposition on the part of his government to accommodate with us.

TO JAMES MADISON. J. MSS.

PHILADELPHIA, January 25, 1798.

DEAR SIR,—I wrote you last on the 2d inst, on which day I received yours of Decr 25. I have not resumed my pen, because there has really been nothing worth writing about, but what you would see in the newspapers. There is, as yet, no certainty what will be the aspect of our affairs with France. Either the Envoys have not written to the government, or their communications are hushed up. This last is suspected, because so many arrivals have happened from Bordeaux & Havre. The letters from American correspondents in France have been always to Boston; & the experience we had last summer of

Digitized by Google

their adroitness in counterfeiting this kind of intelligence, inspires doubts as to their late paragraphs. A letter is certainly received here by an individual from Talleyrand, which says our Envoys have been heard, that their pretensions are high, that possibly no arrangement may take place, but that there will be no declaration of war by France. It is said that Bournonville has written that he has hopes of an accommodation (3. audiences having then, Nov, been had), and to be himself a member of a new diplomatic mission to this country. On the whole, I am entirely suspended as to what is to be expected. The representatives have been several days in debate on the bill for foreign intercourse. A motion has been made to reduce it to what it was before the extension of 1796. The debate will probably have good effects, in several ways, on the public mind, but the advocates for the reformation expect to lose the question. They find themselves deceived in the expectation entertained in the beginning of the session, that they had a majority. They now think the majority is on the other side by 2. or 3., and there are moreover 2. or 3. of them absent. Blount's affair is to come on next. In the mean time the Senate have before them a bill for regulating proceedings in impeachment. This will be made the occasion of offering a clause for the introduction of juries into these trials. (Compare the paragraph in the constitution which says, that the trial of all crimes, *except in cases of impeachment*, shall be by jury, with the viiith amendment, which says, that in *all* criminal prosecutions the trial shall be by jury.)

Digitized by Google

There is no expectation of carrying this; because the division in the Senate is of 2. to 1., but it will draw forth the principles of the parties, and concur in accumulating proofs on which side all the sound principles are to be found.

Very acrimonious altercations are going on between the Spanish minister & the Executive, and at the Natchez something worse than mere altercation. If hostilities have not begun there, it has not been for want of endeavors to bring them on by our agents. Marshall, of Kentucky, this day proposed in Senate some amendments to the constitution. They were barely read just as we were adjourning, & not a word of explanation given. As far as I caught them in my ear, they went only to modifications of the elections of President & V President, by authorizing voters to add the office for which they name each, & giving to the Senate the decision of a disputed election of President, & to the Representatives that of Vice President. But I am apprehensive I caught the thing imperfectly, & probably incorrectly. Perhaps this occasion may be taken of proposing again the Virginia amendments, as also to condemn elections by the legislatures, themselves to transfer the power of trying impeachments from the Senate to some better constituted court, &c., &c.

Good tobo here is 13. doll., flour 8.50, wheat 1.50, but dull, because only the millers buy. The river, however, is nearly open, & the merchants will now come to market & give a spur to the price. But their competition will not be what it has been. Bankrupt-

Digitized by Google

cies thicken, & the height of them has by no means yet come on. It is thought this winter will be very trying.

Friendly salutations to mrs. Madison. Adieu affectionately.

January 28. I enclose Marshall's propositions. They have been this day postponed to the 1st of June, chiefly by the vote of the anti-republicans, under the acknoleged fear that other amendments would be also proposed, and that this is not the time for agitating the public mind.

TO HENRY TAZEWELL. J. MSS.

Jan. 27. 98.

As you mentioned that some of your Commee admitted that the introduction of juries into trials by impeachment under the VIIIth amendment depended on the question Whether an impeachment for a misdemeanor be a criminal prosecution? I devoted yesterday evening to the extracting passages from Law authors showing that in Law-language the term crime is in common use applied to *misdemeanors*, & that *impeachments*, even when for *misdemeanors* only are *criminal prosecutions*. These proofs were so numerous that my patience could go no further than two authors, Blackstone & Wooddeson. They shew that you may meet that question without the danger of being contradicted. The constitution closes the proofs by explaining its own meaning when speaking of *impeachments, crimes, misdemeanors*.

Digitized by Google

The object in supporting this engraftment into impeachments is to lessen the dangers of the court of impeachment under its present form & to induce dispositions in all parties in favor of a better constituted court of impeachment, which I own I consider as an useful thing, if so composed as to be clear of the spirit of faction. Do not let the enclosed paper be seen in my handwriting.

TO JAMES MADISON. MAD. MSS.

PHILADELPHIA, Feb. 8, 98.

I wrote you last on the 25th Ult; since which yours of the 21st has been received. Bache had put 500. copies of Monroe's book on board a vessel, which was stopped by the early & unexpected freezing of the river. He then tried in vain to get them carried by fifties at a time, by the stage. The river is now open here, the vessels have fallen down, and if they can get through the ice below, the one with Bache's packet will soon be at Richmond. It is surmised here that Scipio is written by C. Lee. Articles of impeachment were yesterday given in against Blount. But many knotty preliminary questions will arise. Must not a *formal law* settle the oath of the Senators, forms of pleadings, process against person & goods, &c.? May he not appear by attorney? Must he not be tried by jury? Is a Senator impeachable? Is an ex-Senator impeachable? You will readily conceive that these questions, to be

Digitized by Google

settled by 29. lawyers, are not likely to come to speedy issue. A very disagreeable question of privilege has suspended all other proceedings for several days. You will see this in the newspapers. The question of arming was to have come on, on Monday last; that morning, the President sent in an inflammatory message about a vessel taken & burnt by a French privateer, near Charleston. Of this he had been possessed some time, and it had run through all the newspapers. It seemed to come in very *apropos* for spurring on the disposition to arm. However, the question is not come on. In the meantime, the general spirit, even of the merchants, is becoming adverse to it. New Hampshire & Rhode island are unanimously against arming; so is Baltimore. This place becoming more so. Boston divided & despondding. I know nothing of New York; but I think there is no danger of the question being carried, unless something favorable to it is received from our Envoys. From them we hear nothing. Yet it seems reasonably believed that the Executive has heard, & that it is something which would not promote their views of arming. For every action of theirs shews they are panting to come to blows. Walker's bill will be applied to answer a draught of Colo. Monroe's on Barnes. I have not heard yet from Bailey. I wrote to you about procuring a rider for the Fredsbg post. The proposition should be here by the 14th inst., but I can get it kept open a little longer. There is no bidder yet but Green, the printer. £100 Virga. will be given. Giles has arrived.

Digitized by Google

TO JAMES MONROE. MON. MSS.

[Post marked, Feby 8. 1798]

I received yesterday by mr. Giles yours of Jan. 27, and am well pleased with the indications of republicanism in our assembly. Their law respecting the printer is a good one. I only wish they would give the printing of the laws to one & journals to another. This would secure two, as each portion of the business would be object enough to the printer, and two places in their gift would keep within bounds the other printers also who would be in expectancy of catching something in case of either vacancy. Bache was prevented sending 500 copies of your book to Richmond by the freezing of this river after they were aboard the vessel. He tried in vain to get boxes of fifties carried on by the stages. However, the river is now open here, the vessels have fallen down, and if they find it open below, that with Bache's packets will soon be in Richmond. It has been said here that C. Lee was the author of Scipio, but I know of no authority for it. I had expected Hamilton would have taken the field, and that in that case you might have come forward yourself very shortly merely to strengthen and present in a compact view those points which you expected yourself they would lay hold of, particularly the disposition expressed to acquiesce under their spoiliatory decree. Scipio's attack is so weak as to make no impression. I understand that the opposite party admit that there is nothing in your conduct which can be blamed, except the divulging secrets: & this I think might be answered by a few

Digitized by Google

sentences, discussing the question whether an Ambassador is the representative of his country or of the President. Barnes has accepted your bill. As to the question of your practising the law in Richmond, I have been too long out of the way in Virginia to give an opinion on it worth attention. I have understood the business is very profitable, much more so than in my time: and an opening of great importance must be made by the retirement of Marshall & Washington, which will be filled by somebody. I do expect that your farm will not sufficiently employ your time to shield you from ennui. Your mind is active, & would suffer if unemployed. Perhaps it's energies could not be more justifiably employed than for your own comfort. I should doubt very much however, whether you should combine with this the idea of living in Richmond, at least till you see farther before you. I have always seen that tho' a residence at the seat of government gave some advantages yet it increased expences also so seriously as to overbalance the advantages. I have always seen too that a good stand in the country intercepted more business than was shared by the residents of the city. Yours is a good stand. You need only visit Staunton Cts. some times to put yourself in the way of seeing clients.—The articles of impeachment against Blount were yesterday received by the Senate. Some great questions will immediately arise. 1. Can they prescribe their own oath, the forms of pleadings, issue process against person or goods by their own orders, without the formality of a law authorizing it? Has not the

Digitized by Google

8th amendment of the constitution rendered trial by jury necessary? Is a Senator impeachable? These and other questions promise no very short issue. The Representatives have a dirty business now before them on a question of privilege. This you will see in the public papers.--The question of arming our vessels was to have come on on Monday last. Accordingly the President that morning sent in an inflammatory message about a vessel taken near Charleston & burned by a French privateer, of which fact he had been sometime possessed, & it had been in all the newspapers. It seemed thrown in on that day precisely to give a spur to the question. However it did not come on. In the mean time the spirit of the merchants is going fast over to the safe side of the question. In New Hampshire and Rhode Island they are unanimous; in Baltimore also. In this place becoming more so. In Boston divided & desponding. Of New York I have no information. But I think the Proposition will not be carried, unless something befriending it should come from our envoys. Nothing transpires yet of their mission. Yet it cannot be well doubted but that the Executive must have received information. Perhaps it is of a nature to damp the spirit for arming.—Pray tell Colo. Bell (to whom I wrote about getting a rider for the Fredsbg. post) that the 14th. inst. is the day by which the proposition should come in. I can get it kept open a little longer. £100. our money will be given. My friendly salutations to mrs. Monroe. Adieu affectionately.

Digitized by Google

TO HUGH WILLIAMSON. J. MSS.

PHILADELPHIA Feb. 11. 98.

DEAR SIR,—I have to acknolege the receipt of your favor of the 2d. inst. I will with great pleasure sound opinions on the subject you mention & see whether it can be brought forward with any degree of strength. I doubt it however & for this reason. You may recollect that a report which I gave into Congress in 93. & mr. Madison's propositions of Jan. 94. went directly to establish a navigation act on the British principle. On the last vote given on this (which was in Feb. 94.) from the three states of Massachusetts, Connecticut & Rhode island there were 2. votes for it & 20. against it; & from the 3. states of Virginia, Kentuckey, & N. Carolina, wherein not a single top mast vessel is, I believe owned by a native citizen, there were 25. votes for & 4. against the measure. I very much suspect that were the same proposition now brought forward, the northern vote would be nearly the same, while the southern one I am afraid, would be radically varied. The suggestion of their disinterested endeavors for placing our navigation on an independent footing & forcing on them the British treaty have not had a tendency to invite new offers of sacrifice & especially under the prospect of a new rejection. You observe that the rejection would change the politics of New England. But it would afford no evidence which they have not already in the records of Jan. & Feb. 94. However as I before mentioned I will with pleasure, sound the dispositions on that subject. If the proposition should be

Digitized by Google

likely to obtain a reputable vote it may do good. As to myself I sincerely wish that the whole Union may accommodate their interests to each other, & play into their hands mutually as members of the same family, that the wealth & strength of any one part should be viewed as the wealth & strength of the whole. The countervailing act of G. Britain lately laid before us by the President, offers a just occasion of looking to our navigation. For the merchants here say that the effect of it will be that they themselves shall never think of employing an American vessel to carry produce to Gr. Britain after a peace. Not having as yet any conversation on this subject I cannot say whether it has excited sensibility either in the north or south. It shall be tried however. Accept assurances of the sincere esteem of Dear Sir your friend & servant.

TO JAMES MADISON. MAD. MSS.

PHILADELPHIA, Feb 15. 98.

I wrote you last on the 8th. We have still not a word from our Envoys. This long silence (if they have been silent) proves things are not going on very roughly. If they have not been silent, it proves their information, if made public, would check the disposition to arm. I had flattered myself, from the progress of the public sentiment against arming, that the same progress had taken place in the legislature. But I am assured by those who have better opportunities of forming a good judgment, that if the question against arming is carried at all, it will not be by

Digitized by Google

more than a majority of two ; & particularly, that there will not be more than 4. votes against it from the 5. eastern states, or 5. votes at the utmost. You will have perceived that Dayton is gone over compleatly. He expects to be appointed Secretary of war, in the room of M'Henry, who, it is said, will retire. He has been told, as report goes, that they would not have confidence enough in him to appoint him. The desire of inspiring them with more, seems the only way to account for the eclat which he chuses to give to his conversion. You will have seen the disgusting proceedings in the case of Lyon : if they would have accepted even of a commitment to the serjeant, it might have been had. But to get rid of his vote was the most material object. These proceedings must degrade the General Government, and lead the people to lean more on their state governments, which have been sunk under the early popularity of the former. This day, the question of the jury in cases of impeachment comes on. There is no doubt how it will go. The general division in the Senate is 22. and 10.; and under the probable prospect of what it will forever be, I see nothing in the mode of proceeding by impeachment but the most formidable weapon for the purposes of a dominant faction that ever was contrived. It would be the most effectual one for getting rid of any man whom they consider as dangerous to their views, and I do not know that we could count on one-third on an emergency. It depends then on the H. of Representatives, who are the impeachers ; & there the

Digitized by Google

majorities are of 1., 2., or 3 only; & these sometimes one way & sometimes another: in a question of pure party they have the majority, and we do not know what circumstances may turn up to increase that majority temporarily, if not permanently. I know of no solid purpose of punishment which the courts of law are not equal to, and history shows, that in England, impeachment has been an engine more of passion than justice. A great ball is to be given here on the 22d, and in other great towns of the Union. This is, at least, very indelicate, & probably excites uneasy sensations in some. I see in it, however, this useful deduction, that the birth days which have been kept, have been, not those of the President, but of the General. I enclose with the newspapers, the two acts of parliament passed on the subject of our commerce, which are interesting. The merchants here say, that the effect of the countervailing tonnage on American vessels, will throw them completely out of employ as soon as there is peace. The eastern members say nothing but among themselves. But it is said that it is working like gravel in their stomachs. Our only comfort is, that they have brought it on themselves. My respectful salutation to mrs. Madison; & to yourself, friendship and adieu.

TO HORATIO GATES. J. MSS.

PHILADELPHIA, Feb 21, 98.

DEAR GENERAL,—I received duly your welcome favor of the 15th, and had an opportunity of immediately delivering the one it enclosed to General Kos-

Digitized by Google

ciusko. I see him often, and with great pleasure mixed with commiseration. He is as pure a son of liberty as I have ever known, and of that liberty which is to go to all, and not to the few or the rich alone. We are here under great anxiety to hear from our Envoys. But I think this is one of the cases where no news is good news. If the dispositions at Paris threatened war, it is impossible that our envoys should not find some means of putting us on our guard, of warning us to begin our preparations: especially too when so many vessels have come from ports of France. And if writing were dangerous (which cannot be) there are so many of our countrymen at Paris who would bring us their viva voce communications. Peace then must be probable. I agree with you, that some of our merchants have been milking the cow: yet the great mass of them have become deranged; they are daily falling down by bankruptcies, and on the whole, the condition of our commerce far less firm & really prosperous, than it would have been by the regular operations and steady advances which a state of peace would have occasioned. Were a war to take place, and throw our agriculture into equal convulsions with our commerce, our business would be done at both ends. But this I hope will not be. The good news from the Natchez has cut off the fear of a breach in that quarter, where a crisis was brought on which has astonished every one. How this mighty duel is to end between Gr Britain and France, is a momentous question. The sea which divides them makes it a game of

Digitized by Google

chance; but it is narrow, and all the chances are not on one side. Should they make peace, still our fate is problematical.

The countervailing acts of Gr Brit, now laid before Congress, threaten, in the opinion of merchants, the entire loss of our navigation to England. It makes a difference, from the present state of things, of 500. guineas on a vessel of 350 tons. If, as the newspapers have told us, France has renewed her *Arret* of 1789, laying a duty of 7. livres a hundred on all tobo brought in foreign bottoms (even our own), and should extend it to rice & other commodities, we are done, as navigators, to that country also. In fact, I apprehend that those two great nations will think it their interest not to permit us to be navigators. France had thought otherwise, and had shown an equal desire to encourage our navigation as her own, while she hoped it's weight would at least not be thrown into the scale of her enemies. She sees now that that is not to be relied on, and will probably use her own means, and those of the nations under her influence, to exclude us from the ocean. How far it may lessen our happiness to be rendered merely agricultural, how far that state is more friendly to principles of virtue & liberty, are questions yet to be solved. Kosciusko has been disappointed by the sudden peace between France & Austria. A ray of hope seemed to gleam on his mind for a moment, that the extension of the revolutionary spirit through Italy and Germany, might so have occupied the remnants of monarchy there, as that his country might have risen again. I sincerely rejoice to

Digitized by Google

find that you preserve your health so well. That you may so go on to the end of the chapter, & that it may be a long one I sincerely pray. Make my friendly salutations acceptable to mrs. Gates, & accept yourself assurances of the great & constant esteem & respect of, dear Sir, your friend and servant.

TO JAMES MADISON. MAD. MSS.

PHILADELPHIA, February 22, 98.

Yours of the 12th is received. I wrote you last on the 15th, but the letter getting misplaced, will only go by this post. We still hear nothing from our envoys. Whether the Executive hear, we know not. But if war were to be apprehended, it is impossible our envoys should not find means of putting us on our guard, or that the Executive should hold back their information. No news, therefore, is good news. The countervailing act, which I sent you by the last post, will, confessedly, put American bottoms out of employ in our trade with Gr Britain. So say well-informed merchants. Indeed, it seems probable, when we consider that hitherto, with the advantage of our foreign tonnage, our vessels could only share with the British, and the countervailing duties will, it is said, make a difference of 500. guineas to our prejudice on a ship of 350. tons. Still the Eastern men say nothing. Every appearance & consideration render it probable, that on the restoration of peace, both France & Britain will consider it their interest to exclude us from the ocean, by such peaceable means as are in

Digitized by Google

their power. Should this take place, perhaps it may be thought just & politic to give to our *native capitalists* the monopoly of our internal commerce. This may at once relieve us from the danger of wars abroad and British thraldom at home. The news from the Natchez, of the delivery of the posts, which you will see in the papers, is to be relied on. We have escaped a dangerous crisis there. The great contest between Israel & Morgan, of which you will see the papers full, is to be decided this day. It is snowing fast at this time, and the most sloppy walking I ever saw. This will be to the disadvantage of the party which has the most invalids. Whether the event will be known this evening, I am uncertain. I rather presume not, & therefore, that you will not learn it till next post.

You will see in the papers, the ground on which the introduction of the jury into the trial by impeachment was advocated by mr. Tazewell, & the fate of the question. Reade's motion, which I enclosed you, will probably be amended & established, so as to declare a Senator unimpeachable, absolutely; and yesterday an opinion was declared, that not only officers of the State governments, but every private citizen of the U S, is impeachable. Whether they will think this the time to make the declaration, I know not; but if they bring it on, I think there will be not more than two votes north of the Patowmac against the universality of the impeaching power. The system of the Senate may be inferred from their transactions heretofore, and from the following declaration made to me

Digitized by Google

personally by their oracle.[1] No republic can ever be of any duration, without a Senate, & a Senate deeply and strongly rooted, strong enough to bear up against all popular storms & passions. The only fault in the constitution of our Senate is, that their term of office is not durable enough. Hitherto they have done well, but probably they will be forced to give way in time. I suppose their having done well hitherto, alluded to the stand they made on the British treaty. This declaration may be considered as their text; that they consider themselves as the bulwarks of the government, and will be rendering that the more secure, in proportion as they can assume greater powers. The foreign intercourse bill is set for to-day; but the parties are so equal on that in the H Repr that they seem mutually to fear the encounter. * * *

TO PEREGRINE FITZHUGH. J. MSS.

PHILADELPHIA, Feb 23, 1798.

DEAR SIR,—I have yet to acknolege your last favor which I received at Monticello, and therefore cannot now recur to the date. The perversion of the expressions of a former letter to you which you mention to have been made in the newspapers, I had not till then heard of. Yet the spirit of it was not new. I have been for some time used as the property of the newspapers, a fair mark for every man's dirt. Some, too, have indulged themselves in this exercise

[1] On the margin of the press copy Jefferson has noted in pencil "Mr. Adams."

Digitized by Google

who would not have done it, had they known me otherwise than thro these impure and injurious channels. It is hard treatment, and for a singular kind of offence, that of having obtained by the labors of a life the indulgent opinions of a part of one's fellow citizens. However, these moral evils must be submitted to, like the physical scourges of tempest, fire, &c. We are waiting with great anxiety to hear from our envoys at Paris. But the very circumstance of silence speaks, I think, plain enough. If there were danger of war we should certainly hear from them. It is impossible, if that were the aspect of their negociations, that they should not find or make occasion of putting us on our guard, & of warning us to prepare. I consider therefore their silence as a proof of peace. Indeed I had before imagined that when France had thrown down the gauntlet to England, and was pointing all her energies to that object, her regard for the subsistence of her islands would keep her from cutting off our resources from them. I hope, therefore, we shall rub through the war, without engaging in it ourselves, and that when in a state of peace our legislature & executive will endeavor to provide peaceable means of obliging foreign nations to be just to us, and of making their injustice recoil on themselves. The advantages of our commerce to them may be made the engine for this purpose, provided we shall be willing to submit to occasional sacrifices, which will be nothing in comparison with the calamities of war. Congress has nothing of any importance before them, except the bill on foreign intercourse, & the propo-

Digitized by Google

sition to arm our merchant vessels. These will be soon decided, and if we then get peaceable news from our envoys, I know of nothing which ought to prevent our immediate separation. It had been expected that we must have laid a land tax this session. However, it is thought we can get along another year without it. Some very disagreeable differences have taken place in Congress. They cannot fail to lessen the respect of the public for the general government, and to replace their State governments in a greater degree of comparative respectability. I do not think it for the interest of the general government itself, & still less of the Union at large, that the State governments should be so little respected as they have been. However, I dare say that in time all these as well as their central government, like the planets revolving round their common sun, acting & acted upon according to their respective weights & distances, will produce that beautiful equilibrium on which our Constitution is founded, and which I believe it will exhibit to the world in a degree of perfection, unexampled but in the planetary system itself. The enlightened statesman, therefore, will endeavor to preserve the weight and influence of every part, as too much given to any member of it would destroy the general equilibrium. The ensuing month will probably be the most eventful ever yet seen in Modern Europe. It may probably be the season preferred for the projected invasion of England. It is indeed a game of chances. The sea which divides the combatants gives to fortune as well as to valor it's share of influence on the

Digitized by Google

enterprise. But all the chances are not on one side. The subjugation of England would indeed be a general calamity. But happily it is impossible. Should it end in her being only republicanized, I know not on what principle a true republican of our country could lament it, whether he considers it as extending the blessings of a purer government to other portions of mankind, or strengthening the cause of liberty in our own country by the influence of that example. I do not indeed wish to see any nation have a form of government forced on them; but if it is to be done, I should rejoice at it's being a freer one. Permit me to place here the tribute of my regrets for the affecting loss lately sustained within your walls, and to add that of the esteem & respect with which I am, dear Sir, your friend and servant.

TO JAMES MADISON. MAD. MSS.

P, March 2, 98.

I wrote you last on the 22; since which I have received yours without date, but probably of about the 18th or 19th. An arrival to the Eastward brings us some news, which you see detailed in the papers. The new partition of Europe is sketched, but how far authentic we know not. It has some probability in it's favor. The French appear busy in their preparations for the invasion of England; nor is there any appearance of movements on the part of Russia & Prussia which might divert them from it.

The late birth-night has certainly sown tares among

Digitized by Google

the exclusive federals. It has winnowed the grain from the chaff. The sincerely Adamites did not go. The Washingtonians went religiously, & took the secession of the others in high dudgeon. The one sect threaten to desert the levees, the other the evening parties. The whigs went in number, to encourage the idea that the birth-nights hitherto kept had been for the General & not the President, and of course that time would bring an end to them. Goodhue, Tracy, Sedgwick, &c., did not attend; but the three Secretaries & Attorney General did.

We were surprised, the last week, with a symptom of a disposition to repeal the stamp act. Petitions for that purpose had come from Rhode island & Virginia, & had been committed to rest with the Ways & Means. Mr. Harper, their chairman, in order to enter on the law for amending it, observed it would be necessary first to put the petitions for repeal out of the way, and moved an immediate decision on them. The Rhode islanders begged & prayed for a postponement; that not expecting that that question was to be called up, they were not at all prepared; but Harper would shew no mercy; not a moment's delay should be allowed. It was taken up, and, on a question without debate, determined in favor of the petitions by a majority of 10. Astonished & confounded, when an order to bring in a bill for repeal was moved, they began in turn to beg for time; 3. weeks, one week, 3. days, 1. day; not a moment would be yielded. They made three attempts for adjournment. But the majorities appeared to grow. It was decided, by a

Digitized by Google

majority of 16., that the bill should be brought in. It was brought in the next day, & on the day after passed, sent up to the Senate, who instantly sent it back rejected by a silent vote of 15. to 12. R I & N Hampshire voted for the repeal in Senate. The act will therefore go into operation July 1, but probably without amendments. However, I am persuaded it will be short-lived. It has already excited great commotion in Vermont, and grumblings in Connecticut. But they are so priest-ridden, that nothing is expected from them, but the most bigoted passive obedience.

No news yet from our commissioners; but their silence is admitted to augur peace. There is no talk yet of the time of adjourning, tho' admitted we have nothing to do, but what could be done in a fortnight or three weeks. When the spring opens, and we hear from our commissioners, we shall probably draw pretty rapidly to conclusion. A friend of mine here wishes to get a copy of Mazzei's Recherches historiques et politiques. Where are they? Salutations & adieu.

Wheat 1.50. flour 8.50 tobo 13.50.

TO JAMES MONROE. MON. MSS.

PHILADELPHIA Mar. 8. 98.

DEAR SIR,—I have to acknolege the receipt of yours of Feb. 12. 19. & 25. At length the charm is broke, and letters have been received from our envoys at Paris. One only of them has been communicated,

Digitized by Google

of which I enclose you a copy with the documents accompanying it. The decree therein proposed to be passed has struck the greatest alarm through the merchants I have ever yet witnessed. As it has not been known more than two or three days, it's particular operations are not yet developed. It will probably drive our vessels out of the British trade, because as they will not have the benefit of convoy they cannot bring a return cargo from Great Britain, but on much higher insurance than the British vessels who will have convoy : nor can they carry out produce but on much higher freight because they will be to return empty, in which case the British will underwork them. It seems then as if one effect would be to increase the British navigation. Unless indeed our vessels instead of laying themselves up in port, should go to other markets with their produce & for return cargoes. However it is not probable this state of things will last long enough to have any great effect. The month of April I think will see the experiment of the invasion, and that will be a short one. You will see in Bache's paper of this morning the 5th. number of some pieces written by T. Coxe, in which this proposed decree is well viewed. How it will operate on our question about arming, we do not yet know. Some talk of letters of marque & reprisal, yet on the whole I rather believe it will not add to the number of voters for arming. This measure with the decrees of the British courts that British subjects adopted here since the peace and carrying on commerce from hence, are still British subjects, & their

Digitized by Google

cargoes British property, has shaken these quasi-citizens in their condition. The French adopt the same principle as to their cargoes when captured. A privateer lately took near our coast an E. Indiaman worth 250.000 D. belonging to one of these lately emigrated houses. Is it worth our while to go to war to support the contrary doctrine? The British principle is clearly against the law of nations, but which way our interest lies is also worthy consideration. The influence of this description of merchants on our government & on the public opinion is not merely innocent, it's absence would not weaken our union—the issue of the question on foreign intercourse has enabled us to count the strength of the two parties in the H. of representatives. It is 51. & 55 if all the members were present. The whigs being a minority of 4. but in this computation all wavering characters are given to the other side. Jersey has laid itself off into districts, which instead of an uniform delegation, will give one chequered as the state is. They will at their next election send whigs from two districts. Pennsylvania, at her next election (in October) will add two more to the whig list. Let us hope that Morgan & Macher will give place to whig successors. I do not know that this can be hoped for from our Eastern shore. This much I think tolerably certain, besides the natural progress of public sentiment in other quarters, & the effect of the events of the time. We do not think then that the partizans of Republican government should despair.—They do not yet talk of the time of adjournment though confessedly they

Digitized by Google

have nothing to do. Yet I trust it will be early in the ensueing month.—How far it may be eligible for you to engage in the practice of the law I know not. On the question of your removal to Richmond, I may doubtless be under bias, when I suppose it's expediency questionable. The expence to be incurred in the first moments will certainly be great. Could it be only deferred for a while it would enable you to judge whether the prospect opened will be worth that dislocation of your affairs, or whether some other career may not open on you. Of these things nobody but yourself can judge. It is a question too for yourself whether a seat among the judges of the state would be an object for you. On all these points your friends can only offer motives for consideration: on which none but yourself can decide avec connoissance de cause. I really believe that some employment, more than your farms will furnish, will be necessary to your happiness. You are young, your mind active, and your health vigorous. The languor of ennui would, in such a condition of things, be intolerable. Make my most respectful salutations to mrs. Monroe, & accept friendly adieux to yourself.

TO JAMES MADISON. MAD. MSS.

PHILADELPHIA, Mar 15, 98.

I wrote you last on the 2d instt. Your's of the 4th is now at hand. The public papers will give you the news of Europe. The French decree making the vessel friendly or enemy, according to the hands by which the cargo was manufactured, has produced a

Digitized by Google

great sensation among the merchants here. Its operation is not yet perhaps well understood; but probably it will put our shipping out of competition, because British bottoms, which can come under convoy, will alone be trusted with return cargoes. Our's, losing this benefit, would need a higher freight out, in which, therefore, they will be underbid by the British. They must then retire from the competition. Some no doubt will try other channels of commerce, and return cargoes from other countries. This effect would be salutary. A very well-informed merchant, too, (a Scotsman, entirely in the English trade,) told me, he thought it would have another good effect, by checking & withdrawing our over-extensive commerce & navign (the fruit of our neutral position) within those bounds to which peace must necessarily bring them. That this being done by degrees, will probably prevent those numerous failures produced generally by a peace coming on suddenly. Notwithstanding this decree, the sentiments of the merchants become more & more cooled & settled down against arming. Yet it is believed the Representatives do not cool; and tho' we think the question against arming will be carried, yet probably by a majority of only 4. or 5. Their plan is, to have convoys furnished for our vessels going to Europe, & smaller vessels for the coasting defence. On this condition, they will agree to fortify Southern harbors, and build some galleys. It has been concluded among them, that if war takes place, Wolcott is to be retained in office, that the Pt must give up M'Henry, & as to Pickering they are divided,

Digitized by Google

the Eastern men being determined to retain him, their middle & Southern brethren wishing to get rid of him. They have talked of Genl. Pinckney as successor to M'Henry. This information is certain. However, I hope that we shall avoid war, & save them the trouble of a change of ministry. The P has nominated J Q Adams Commissioner Plenipoty to renew the treaty with Sweden. Tazewell made a great stand against it, on the general ground that we should let our treaties drop, & remain without any. He could only get 8. votes against 20. A trial will be made to-day in another form, which he thinks will give 10. or 11. against 16. or 17. declaring the renewal inexpedient. In this case, notwithstanding the nomination has been confirmed, it is supposed the P would perhaps not act under it, on the probability that more than a third would be against the ratification. I believe, however, that he would act, & that a third could not be got to oppose the ratification. It is acknoleged we have nothing to do but to decide the question about arming. Yet not a word is said about adjourning; and some even talk of continuing the session permanently; others talk of July & August. An effort, however, will soon be made for an early adjournment.

My friendly salutations to mrs. Madison; to yourself affectionate adieux.

TO JAMES MADISON. MAD. MSS.

PHILADELPHIA, Mar 21, 98.

I wrote you last on the 15th; since that, yours of the 12th is received. Since that, too, a great change has taken place in the appearance of our political at-

Digitized by Google

mosphere. The merchants, as before, continue, a respectable part of them, to wish to avoid arming. The French decree operated on them as a sedative, producing more alarm than resentment; on the Representatives, differently. It excited indignation highly in the war party, tho' I do not know that it had added any new friends to that side of the question. We still hoped a majority of about 4.; but the insane message which you will see in the public papers has had great effect. Exultation on the one side, & a certainty of victory; while the other is petrified with astonishment. Our Evans, tho' his soul is wrapt up in the sentiments of this message, yet afraid to give a vote openly for it, is going off to-morrow, as is said. Those who count, say there are still 2. members of the other side who will come over to that of peace. If so, the numbers will be for war measures, 52., against them 53.; if all are present except Evans. The question is, what is to be attempted, supposing we have a majority? I suggest two things: 1. As the President declares he has withdrawn the Executive prohibition to arm, that Congress should pass a Legislative one. If that should fail in the Senate, it would heap coals of fire on their head. 2. As to do nothing & to gain time is everything with us, I propose that they shall come to a resolution of adjournment, 'in order to go home & consult their constituents on the great crisis of American affairs now existing.' Besides gaining time enough by this, to allow the descent on England to have it's effect here as well as there, it will be a means of exciting the whole body of the people from the state of inatten-

Digitized by Google

tion in which they are; it will require every member to call for the sense of his district by petition or instruction; it will shew the people with which side of the House their safety as well as their rights rest, by shewing them which is for war & which for peace; & their representatives will return here invigorated by the avowed support of the American people. I do not know, however, whether this will be approved, as there has been little consultation on the subject. We see a new instance of the inefficiency of Constitutional guards. We had relied with great security on that provision, which requires two-thirds of the Legislature to declare war. But this is completely eluded by a majority's taking such measures as will be sure to produce war. I wrote you in my last, that an attempt was to be made on that day in Senate, to declare an inexpediency to renew our treaties. But the measure is put off under a hope of it's being attempted under better auspices. To return to the subject of war, it is quite impossible, when we consider all it's existing circumstances, to find any reason in it's favor resulting from views either of interest or honor, & plausible enough to impose even on the weakest mind; and especially, when it would be undertaken by a majority of one or two only. Whatever then be our stock of charity or liberality, we must resort to other views. And those so well known to have been entertained at Annapolis, & afterwards at the grand convention, by a particular set of men, present themselves as those alone which can account for so extraordinary a degree of impetuosity. Perhaps, instead of

Digitized by Google

what was then in contemplation, a separation of the union, which has been so much the topic to the Eastward of late, may be the thing aimed at. I have written so far, two days before the departure of the post. Should anything more occur to-day or to-morrow, it shall be added.

22d At night. Nothing more.

TO JAMES MONROE. MON. MSS.

PHILADELPHIA Mar. 21. 98.

The public papers will present to you the almost insane message sent to both houses of Congress 2. or 3. days ago. This has added to the alarm of the sounder and most respectable part of our merchants. I mean those who are natives, are solid in their circumstances & do not need the lottery of war to get themselves to rights. The effect of the French decree on the representatives had been to render the war party inveterate & more firm in their purpose without adding to their numbers. In that state of things we had hoped to avert war measures by a majority of 4. At this time, those who court talk of it's being reduced to a majority of 1. or 2. if a Majority be with us at all. This is produced by the weight of the Executive opinion. The first thing proposed by the whigs will be a call for papers. For if Congress are to act on the question of war, they have a right to information. The 2d. to pass a Legislative prohibition to arm vessels instead of the Executive one which the President informs them he has withdrawn.

Digitized by Google

These questions will try the whig strength, on the ground of war. The 3d. to adjourn to consult our constituents on the great crisis of American affairs now existing. This measure appears to me under a very favorable aspect. It gives time for the French operations on England to have their effect here as well as there. It awakens the people from the slumber over public proceedings in which they are involved. It obliges every member to consult his district on the simple question of war or peace: it shews the people on which side of the house are the friends of their peace as well as their rights, & brings back those friends to the next session supported by the whole American people. I do not know however whether this last measure will be proposed. The late maneuvres have added another proof to the inefficiency of constitutional barriers. We had reposed great confidence in that provision of the Constitution which requires $\frac{2}{3}$ of the Legislature to declare war. Yet it can be entirely eluded by a majority's taking such measures as will bring on war.—My last to you was of the 8th inst. The last recd from you was of Feb. 25.

TO DR. SAMUEL BROWN. J. MSS.

PHILADELPHIA Mar. 25. 98.

DEAR SIR,—You were a witness, before you left our side of the continent, to the endeavours of the tory part among us, to write me down as far as they could find or make materials. "O! that mine enemy would write a book!" has been a well known prayer

Digitized by Google

against an enemy. I had written a book, & it has furnished matter for abuse for want of something better. Mr. Martin's polite attack on the subject of Cresap & Logan, as stated in the Notes on Virginia, had begun before you left us, it has continued & still continues; though after the perusal of the first letter had shown me what was to be the style of those subsequent, I have avoided reading a single one. A friend of mine having wished for a general explanation of the foundation of the case of Logan, I wrote him a letter of which I had a few copies printed, to give to particular friends for their satisfaction, & on whom I could rely against the danger of its being published. I enclose you a copy as well for these purposes, as that I think it may be in your power to obtain some information for me. Indeed I suppose it probable that General Clarke may know something of the facts relative to Logan or Cresap. I shall be much obliged to you for any information you can procure on this subject. You will see by the enclosed in what way I mean to make use of it. I am told you are preparing to give us an account of the General, which for its matter I know, & for its manner I doubt not, will be highly interesting. I am in hopes in connecting with it some account of Kentuckey that your information & his together will be able to correct & supply what I had collected relative to it in a very early day. Indeed it was to Genl. Clarke I was indebted for what degree of accuracy there was in most of my statements. I wish you to attend particularly to the overflowage of the Mississippi, on which I have

Digitized by Google

been accused of error. Present me affectionately to the General & assure him of my constant remembrance & esteem: & accept yourself salutations & sentiments of sincere attachment from, Dear Sir, your friend & servant

TO JAMES MADISON. MAD. MSS.

PHILADELPHIA, Mar 29, 98.

I wrote you last on the 21st. Your's of the 12th, therein acknoleged, is the last recd. The measure I suggested in mine, of adjourning for consultation with their constituents, was not brought forward; but on Tuesday 3. resolutions were moved, which you will see in the public papers. They were offered in committee, to prevent their being suppressed by the previous question, & in the commee on the state of the Union, to put it out of their power, by the rising of the commee & not sitting again, to get rid of them. They were taken by surprise, not expecting to be called to vote on such a proposition as 'that it is inexpedient to resort to war against the French republic.' After spending the first day in seeking on every side some hole to get out at, like an animal first put into a cage, they gave up that resource. Yesterday they came forward boldly, and openly combated the proposition. Mr. Harper & Mr. Pinckney pronounced bitter philippics against France, selecting such circumstances & aggravations as to give the worst picture they could present. The latter, on this, as in the affair of Lyon & Griswold, went far beyond that moderation he has on other occasions recom-

Digitized by Google

mended. We know not how it will go. Some think the resolution will be lost, some, that it will be carried; but neither way, by a majority of more than 1. or 2. The decision of the Executive, of two-thirds of the Senate, & half the house of representatives, is too much for the other half of that house. We therefore fear it will be borne down, and are under the most gloomy apprehensions. In fact, the question of war & peace depends now on a toss of cross & pile. If we could but gain this season, we should be saved. The affairs of Europe would of themselves relieve us. Besides this, there can be no doubt that a revolution of opinion in Massachusetts & Connecticut is working. Two whig presses have been set up in each of those States. There has been for some days a rumor, that a treaty of alliance, offensive & defensive with G Britain, is arrived. Some circumstances have occasioned it to be listened to; to wit, the arrival of mr. King's Secretary, which is affirmed, the departure of mr. Liston's secretary, which I know is to take place on Wednesday next, the high tone of the executive measures at the last & present session, calculated to raise things to the unison of such a compact, and supported so desperately in both houses in opposition to the pacific wishes of the people, & at the risque of their approbation at the ensuing election. Langdon yesterday, in debate, mentioned this current report. Tracy, in reply, declared he knew of no such thing, did not believe it, nor would be it's advocate. The Senate are proceeding on the plan communicated in mine of Mar. 15. They are now passing a bill to

Digitized by Google

purchase 12. vessels of from 14. to 22. guns, which with our frigates are to be employed as convoys & guarda costas. They are estimated, when manned & fitted for sea, at 2. millions. They have past a bill for buying one or more founderies. They are about bringing in a bill for regulating private arming, and the defensive works in our harbors have been proceeded on some time since.

An attempt has been made to get the Quakers to come forward with a petition, to aid with the weight of their body the feeble band of peace. They have, with some effort, got a petition signed by a few of their society; the main body of their society refuse it. Mc'Lay's peace motion in the assembly of Pennsylvania was rejected with an unanimity of the Quaker vote, and it seems to be well understood, that their attachment to England is stronger than to their principles or their country. The revolution war was a first proof of this. Mr. White, from the federal city, is here, soliciting money for the buildings at Washington. A bill for 200.000 D has passed the H R, & is before the Senate, where it's fate is entirely uncertain. He is become perfectly satisfied that mr. A is radically against the government's being there. Goodhue (his oracle) openly said in commee, in presence of White, that he knew the government was obliged to go there, but they would not be obliged to stay there. Mr. A said to White, that it would be better that the President should rent a common house there, to live in; that no President would live in the one now building. This harmonizes with Goodhue's idea

Digitized by Google

of a short residence. I write this in the morning, but need not part with it till night. If anything occurs in the day it shall be added.

P. M. Nothing material has occurred. Adieu.

TO EDMUND PENDLETON. J. MSS.

PHILADELPHIA, Apr 2, 98.

DEAR SIR,—I have to acknolege the receipt of your favor of Jany 29. and as the rising of Congress seems now to be contemplated for about the last of this month, and it is necessary that I settle mr. Short's matter with the Treasury before my departure, I take the liberty of saying a word on that subject. The sum you are to pay is to go to the credit of a demand which mr. Short has on the treasury of the U S and for which they consider mr. Randolph as liable to them, so that the sum he pays to Short directly lessens so much the balance to be otherwise settled. Mr. Short, by a letter received a few days ago, has directed an immediate employment of the whole sum in a particular way. I wish your sum settled, therefore, that I may call on the Treasury for the exact balance. I should have thought your best market for stock would have been here, and I am convinced, the quicker sold the better; for, should the war measures recommended by the Executive, & taken up by the legislature, be carried through, the fall of stock will be very sudden, war being then more than probable. Mr. Short holds some stock here, and, should the first of Mr. Sprigg's resolutions,

Digitized by Google

now under debate in the lower house be rejected, I shall, within 24. hours from the rejection, sell out the whole of mr. Short's stock. How that resolution will be disposed of (to wit, that against the expediency of war with the French republic), is very doubtful. Those who count votes vary the issue from a majority of 4. against the resolution to 2. or 3. majority in it's favor. So that the scales of peace & war are very nearly in equilibrio. Should the debate hold many days, we shall derive aid from the delay. Letters received from France by a vessel just arrived, concur in assuring us, that, as all the French measures bear equally on the Swedes & Danes as on us, so they have no more purpose of declaring war against us than against them. Besides this, a wonderful stir is commencing in the Eastern states. The dirty business of Lyon & Griswold was of a nature to fly through the newspapers, both whig & tory, & to excite the attention of all classes. It, of course, carried to their attention, at the same time, the debates out of which that affair sprung. The subject of these debates was, whether the representatives of the people were to have no check on the expenditure of the public money, & the executive to squander it at their will, leaving to the Legislature only the drudgery of furnishing the money. They begin to open their eyes on this to the Eastward & to suspect they have been hoodwinked. Two or three whig presses have set up in Massachusetts, & as many more in Connecticut. The late war message of the president has added new alarm. Town meetings have begun in

Digitized by Google

Massachusetts, and are sending on their petitions & remonstrances by great majorities, against war-measures, and these meetings are likely to spread. The present debate, as it gets abroad, will further show them, that it is their members who are for war measures. It happens, fortunately, that these gentlemen are obliged to bring themselves forward exactly in time for the Eastern elections to Congress, which come on in the course of the ensuing summer. We have, therefore, great reason to expect some favorable changes in the representatives from that quarter. The same is counted on with confidence from Jersey Pennsylvania, & Maryland; perhaps one or two also in Virginia; so that, after the next election, the whigs think themselves certain of a very strong majority in the H of Representatives; and tho' against the other branches they can do nothing good, yet they can hinder them from doing ill. The only source of anxiety, therefore, is to avoid war for the present moment. If we can defeat the measures leading to that during this session, so as to gain this summer, time will be given, as well for the public mind to make itself felt, as for the operations of France to have their effect in England as well as here. If, on the contrary war is forced on, the tory interest continues dominant, and to them alone must be left, as they alone desire to ride on the whirlwind, & direct the storm. The present period, therefore, of two or three weeks, is the most eventful ever known since that of 1775. and will decide whether the principles established by that contest are to prevail, or give way to those they sub-

Digitized by Google

verted. Accept the friendly salutations & prayers for your health & happiness, of, dear Sir, your sincere and affectionate friend.

P. S. Compliments to Mr. Taylor. I shall write to him in a few days.

TO JAMES MADISON. MAD. MSS.

PHILADELPHIA, April 5, 98.

I wrote you last on the 29th ult; since which I have no letter from you. These acknolegments regularly made and attended to, will shew whether any of my letters are intercepted, and the impression of my seal on wax (which shall be constant hereafter) will discover whether they are opened by the way. The nature of some of my communications furnishes ground of inquietude for their safe conveyance. The bill for the federal buildings labors hard in Senate, tho', to lessen opposition, the Maryland Senator himself proposed to reduce the 200.000 D to one-third of that sum. Sedgwick & Hillhouse violently opposed it. I conjecture that the votes will be either 13. for & 15. against it, or 14. & 14. Every member declares he means to go there, but tho' charged with an intention to come away again, not one of them disavowed it. This will engender incurable distrust. The debate on mr. Sprigg's resolutions has been interrupted by a motion to call for papers. This was carried by a great majority. In this case, there appeared a separate squad, to wit, the Pinckney interest, which is a distinct thing, and will be seen sometimes to lurch the President. It is in truth the Hamilton party,

Digitized by Google

whereof P is only made the stalking horse. The papers have been sent in & read, & it is now under debate in both houses, whether they shall be published. I write in the morning, & if determined in the course of the day in favor of publication, I will add in the evening a general idea of their character. Private letters from France, by a late vessel which sailed from Havre, Feb 5, assure us that France, classing us in her measures with the Swedes & Danes, has no more notion of declaring war against us than them. You will see a letter in Bache's paper of yesterday, which came addressed to me. Still the fate of Sprigg's resolutions seems in perfect equilibrio. You will see in Fenno two numbers of a paper signed Marcellus. They promise much mischief, and are ascribed, without any difference of opinion, to Hamilton. You must, my dear Sir, take up your pen against this champion. You know the ingenuity of his talents; & there is not a person but yourself who can foil him. For heaven's sake, then take up your pen, and do not desert the public cause altogether.

Thursday evening. The Senate have, to-day, voted the publication of the communications from our envoys. The House of Repr. decided against the publication by a majority of 75 to 24. The Senate adjourned, over to-morrow (good Friday), to Saturday morning; but as the papers cannot be printed within that time, perhaps the vote of the H of R may induce the Senate to reconsider theirs. For this reason, I think it my duty to be silent on them. Adieu.

Digitized by Google

TO JAMES MONROE. MON. MSS.

PHILADELPHIA, Apr. 5, 98.

I wrote you last on the 21st. of Mar. Since which yours of the 26th. of March is received. Yesterday I had a consultation with mr. Dawson on the matter respecting Skipwith. We have neither of us the least hesitation, on a view of the ground, to pronounce against your coming forward in it at all. Your name would be the watchword of party at this moment, and the question would give opportunities of slander, personal hatred, and injustice, the effect of which on the justice of the case cannot be calculated. Let it therefore come forward in Skipwith's name, without your appearing even to know of it. But is it not a case which the auditor can decide? If it is, that tribunal must be first resorted to. I do not think Scipio worth your notice. He has not been noticed here but by those who were already determined. Your narrative and letters wherever they are read produce irresistable conviction, and cannot be attacked but by a contradiction of facts, on which they do not venture. Finding you unassailable in that quarter, I have reason to believe they are preparing a batch of small stuff, such as refusing to drink Genl. Washington's health, speaking ill of him, & the government, withdrawing civilities from those attached to him, countenancing Paine to which they add connivance at the equipment of privateers by Americans. I am told some sort of an attack is preparing, founded on the depositions of 2. or 3. Americans. We are therefore of opinion here that Dr.

Digitized by Google

Edward's certificate (which he will give very fully) should not be published, but reserved to repel these slanders, adding to it such others as the nature of them may call for. Mr. Dawson thinks he can easily settle the disagreeable business with M. The difficulty & delicacy will be with G. He is to open the matter to them to day and will write to you this evening. It is really a most afflicting consideration that it is impossible for a man to act in any office for the public without encountering a persecution which even his retirement will not withdraw him from. At this moment my name is running through all the city as detected in a criminal correspondence with the French directory, & fixed upon me by the documents from our envoys now before the two houses. The detection of this by the publication of the papers, should they be published, will not relieve all the effects of the lie, and should they not be published, they may keep it up as long and as successfully as they did and do that of my being involved in Blount's conspiracy. The question for the publication of the communications from our envoys is now under consideration in both houses. But if published, you cannot get them till another post. The event of mr. Sprigg's resolutions is extremely doubtful. The first one now under consideration (to wit that it is not expedient to resort to war) will perhaps be carried or rejected by a majority of 1. or 2. only. Consequently it is impossible previously to say how it will be. All war-measures, debtors of our country will follow the fortunes of that resolution. Meas-

Digitized by Google

ures for internal defence will be agreed to. Letters from France by a vessel which left Havre Feb. 5. express the greatest certainty that the French government, classing us in all her measures with Denmark & Sweden, has no more idea of declaring war against us than against them. Consequently it rests with ourselves. Present my best respects to mrs. Monroe & accept yourself friendly salutations & adieux.

P. S. I will hereafter seal my letters with wax, & the same seal. Pay attention if you please to the state of the impression.

TO JAMES MADISON. MAD. MSS.

Apr. 6, 98.

So much of the communications from our envoys has got abroad, & so partially, that there can now be no ground for reconsideration with the Senate. I may therefore, consistently with duty, do what every member of the body is doing. Still, I would rather you would use the communication with reserve till you see the whole papers. The first impressions from them are very disagreeable & confused. Reflection, however, & analysis resolves them into this. Mr. A's speech to Congress in May is deemed such a national affront, that no explanation on other topics can be entered on till that, as a preliminary, is wiped away by humiliating disavowals or acknolegments. This working hard with our envoys, & indeed seeming impracticable for want of that sort of authority, submission

Digitized by Google

to a heavy amercement (upwards of a million sterl.) was, at an after meeting, suggested as an alternative, which might be admitted if proposed by us. These overtures had been through informal agents; and both the alternatives bringing the envoys to their ne plus, they resolve to have no more communication through inofficial characters, but to address a letter directly to the government, to bring forward their pretensions. This letter had not yet, however, been prepared. There were, interwoven with these overtures some base propositions on the part of Taleyrand, through one of his agents, to sell his interest & influence with the Directory towards smoothing difficulties with them, in consideration of a large sum (50.000 £ sterl); and the arguments to which his agent resorted to induce compliance with this demand, were very unworthy of a great nation, (could they be imputed to them,) and calculated to excite disgust & indignation in Americans generally, and alienation in the republicans particularly, whom they so far mistake, as to presume an attachment to France and hatred to the Federal party, & not the love of their country, to be their first passion. No difficulty was expressed towards an adjustment of all differences & misunderstandings, or even ultimately a paiment for spoliations, if the insult from our Executive should be first wiped away. Observe, that I state all this from only a single hearing of the papers, & therefore it may not be rigorously correct. The little slanderous imputation before mentioned, has been the bait which hurried the opposite party into this publication. The first impressions with the people will be disagree-

Digitized by Google

able, but the last & permanent one will be, that the speech in May is now the only obstacle to accommodation, and the real cause of war, if war takes place. And how much will be added to this by the speech of November, is yet to be learnt. It is evident, however, on reflection, that these papers do not offer one motive the more for our going to war. Yet such is their effect on the minds of wavering characters, that I fear, that to wipe off the imputation of being French partisans, they will go over to the war measures so furiously pushed by the other party. It seems indeed, as if they were afraid they should not be able to get into war till Great Britain will be blown up, and the prudence of our countrymen from that circumstance, have influence enough to prevent it. The most artful misrepresentations of the contents of these papers were published yesterday, & produced such a shock on the republican mind, as has never been seen since our independence. We are to dread the effects of this dismay till their fuller information. Adieu.

P. M. Evening papers have come out since writing the above. I therefore inclose them. Be so good as to return Brown's by post, as I keep his set here. The representatives are still unfaithful.

TO JAMES MADISON. MAD. MSS.

PHILADELPHIA, Apr. 12, 98.

I wrote you two letters on the 5th inst; since which I have recd yours of the 2d. I send you, in a separate package, the instructions to our envoys &

Digitized by Google

their communications. You will find that my representation of their contents from memory, was substantially just. The public mind appears still in a state of astonishment. There never was a moment in which the aid of an able pen was so important to place things in their just attitude. On this depend the inchoate movement in the Eastern mind, and the fate of the elections in that quarter, now beginning & to continue through the summer. I would not propose to you such a task on any ordinary occasion. But be assured that a well-digested analysis of these papers would now decide the future turn of things, which are at this moment on the creen. The merchants here are meeting under the auspices of Fitzsimmons, to address the President & approve his propositions. Nothing will be spared on that side. Sprigg's first resolution against the expediency of war, proper at the time it was moved, is now postponed as improper, because to declare that, after we have understood it has been proposed to us to buy peace, would imply an acquiescence under that proposition. All, therefore, which the advocates of peace can now attempt, is to prevent war measures *externally*, consenting to every rational measure of *internal* defence & preparation. Great expences will be incurred; & it will be left to those whose measures render them necessary, to provide to meet them. They already talk of stopping all paiments of interest, & of a land tax. These will probably not be opposed. The only question will be, how to modify the land tax. On this there may be great diversity

Digitized by Google

of sentiment. One party will want to make it a new source of patronage & expence. If this business is taken up, it will lengthen our session. We had pretty generally, till now, fixed on the beginning of May for adjournment. I shall return by my usual routes, & not by the Eastern shore, on account of the advance of the season. Friendly salutations to mrs. Madison & yourself. Adieu.

TO PETER CARR. J. MSS.

PHILADELPHIA, Apr. 12, 98.

As the instructions to our envoys & their communications have excited a great deal of curiosity, I enclose you a copy. You will perceive that they have been assailed by swindlers, whether with or without the participation of Taleyrand is not very apparent. The known corruption of his character renders it very possible he may have intended to share largely in the 50,000£ demanded. But that the Directory knew anything of it is neither proved nor probable. On the contrary, when the Portuguese ambassador yielded to like attempts of swindlers, the conduct of the Directory in imprisoning him for an attempt at corruption, as well as their general conduct really magnanimous, places them above suspicion. It is pretty evident that mr. A.'s speech is in truth the only obstacle to negociation. That humiliating disavowals of that are demanded as a preliminary, or as a commutation for that a heavy sum of money,

Digitized by Google

about a million sterling. This obstacle removed, they seem not to object to an arrangement of all differences, and even to settle & acknolege themselves debtors for spoliations. Nor does it seem that negociation is at an end, as the P's message says, but that it is in it's commencement only. The instructions comply with the wishes expressed in debate in the May session to place France on as good footing as England, & not to make a *sine qua non* of the indemnification for spoliation; but they declare the war in which France is engaged is not a defensive one, they reject the naturalization of French ships, that is to say the exchange of naturalization which France had formerly proposed to us, & which would lay open to us the unrestrained trade of her West Indies & all her other possessions; they declare the 10th article of the British treaty, against sequestering debts, money in the funds, bank stock, &c., to be founded in morality, & therefore of perpetual obligation, & some other heterodoxes.

You will have seen in the newspapers some resolutions proposed by mr. Sprigg, the first of which was, that it is inexpedient under existing circumstances to resort to war with France. Whether this could have been carried before is doubtful, but since it is known that a sum of money has been demanded, it is thought this resolution, were it now to be passed, would imply a willingness to avoid war even by purchasing peace. It is therefore postponed. The peace party will agree to all reasonable measures of internal defence, but oppose all external preparations. Tho' it is evi-

Digitized by Google

dent that these communications do not present one motive the more for going to war, yet it may be doubted whether we are now strong enough to keep within the defensive line. It is thought the expences contemplated will render a land tax necessary before we separate. If so, it will lengthen the session. The first impressions from these communications are disagreeable; but their ultimate effect on the public mind will not be favorable to the war party. They may have some effect in the first moment in stopping the movement in the Eastern states, which were on the creen, & were running into town meetings, yet it is believed this will be momentary only, and will be over before their elections. Considerable expectations were formed of changes in the Eastern delegations favorable to the whig interest. Present my best respects to mrs. Carr, & accept yourself assurance of affectionate esteem.

TO JAMES MONROE. MON. MSS.

April 19. 98.

I wrote you on the 5th. inst. and on the 12th. I enclosed you a copy of the instructions & communications from our envoys. In that of the 5th I acknoleged the receipt of your last at hand of Mar. 26. The impressions first made by those communications continue strong & prejudicial here. They have enabled the merchants to get a war-petition very extensively signed. They have also carried over to

Digitized by Google

the war-party most of the waverers in the H. of R. This circumstance with the departure of 4. Southern members, & others going, have given a strong majority to the other party. The expences will probably bring them up: but in the mean time great & dangerous follies will have been committed. A salt-tax, land-tax, & stoppage of interest on the public debt are the resources spoken of for procuring from 3. to 7. millions of Dollars of preparatory expence. I think it probable that France, instead of declaring war, will worry us with decrees. A new one is proposed making neutral *armed* ships good prize. Such measures, and the bottom of our purse which we shall get to even by the expences of preparation, will still prevent serious war. Bankruptcy is a terrible foundation to begin a war on, against the conquerors of the universe. A governor, secretary & 3. judges are named for the missisipi territory. Of these, two are agents for the land companies, 2. are bankrupt speculators, & the other unknown. Your matter with Morris is well settled. With respect to your accounts mr. Dawson will inclose you the difficulties objected by the Department of State. Considering how much better items of an account can be explained vivâ voce, how much more impressive personal remonstrance is than written, we have imagined you will think it adviseable to come on yourself, and have these matters settled, or at least to narrow them down to a few articles as to which you may take measures from hence to procure vouchers from Europe if necessary. But of this you alone are the

Digitized by Google

competent judge. Present my affectionate salutations to mrs. Monroe. Friendly adieux to yourself.

P. S. Wheat & flour not saleable at this moment. Tobacco (old) *d*13.50 & likely to rise.

TO JAMES MADISON. MAD. MSS.

Apr. 19. 98.

I wrote you last on the 12th & then acknoleged your last at hand of the 2d inst. The sensations first occasioned by the late publications have been kept up and increased at this place. A petition from the merchants & traders & others was so industriously pushed as to have obtained a very extensive signature. The same measure is pursuing in New York. As the election of their governor comes on next Tuesday, these impressions will just be in time to affect that. We have no information yet of their effect to the Eastward. In the meantime petitions to Congress against arming from the towns of Massachusetts were multiplying. They will no doubt have been immediately checked. The P.'s answer to the address of the merchants here you will see in Fenno of yesterday. It is a pretty strong declaration that a neutral & pacific conduct on our part is no longer the existing state of things. The vibraters in the H. of R. have chiefly gone over to the war party. Still if our members were all here, it is believed the Naval-bill would be thrown out. Giles, Clopton, & Cabell are gone. The debate began yesterday, & tho' the question will be lost, the effect on the public mind

Digitized by Google

will be victory. For certainly there is nothing new which may render war more palatable to the people. On the contrary the war-members themselves are becoming alarmed at the expences, & whittling down the estimates to the lowest sums. You will see by a report of the Secretary at War which I inclose you that he estimates the expences of preparation at seven millions of Dollars; which it is proposed to lower to about 3. millions. If it can be reduced to this, a stoppage of public interest will suffice & is the project of some. This idea has already knocked down the public paper, which can no longer be sold at all. If the expences should exceed 3. m. they will undertake a land tax. Indeed a land tax is the decided resource of many, perhaps of a majority. There is an idea of some of the Connecticut members to raise the whole money wanted by a tax on salt; so much do they dread a land tax. The middle or last of May is still counted on for adjournment.

Col° Innes is just arrived here, heavily laden with gout & dropsy. It is scarcely thought he can ever get home again. The principles likely to be adopted by that board have thrown the administration into deep alarm. It is admitted they will be worse than the English, French, & Algerine depredations added together. It is even suggested that, if persevered in, their proceedings will be stopped. These things are not public.—Your letter, by occasioning my recurrence to the constitution, has corrected an error under which a former one of mine had been written. I had erroneously conceived that the declaration of war

Digitized by Google

was among the things confided by the Constitution to *two thirds* of the legislature. We are told here that you are probably elected to the state legislature. It has given great joy, as we know your presence will be felt any where, and the times do not admit of the inactivity of such talents as yours. I hope therefore it is true. As much good may be done by a proper direction of the local force. Present my friendly salutations to Mrs. Madison & to yourself affectionately adieu.

TO JAMES MADISON. MAD. MSS.

PHILADELPHIA, April 26, 1798.

DEAR SIR,—* * * The bill for the naval armament (12 vessels) passed by a majority of about 4 to 3 in the H of R; all restrictions on the objects for which the vessels should be used were struck out. The bill for establishing a department of Secretary of the navy was tried yesterday, on its passage to the 3d reading, & prevailed by 47 against 41. It will be read the 3d time to-day. The Provisional army of 20,000. men will meet some difficulty. It would surely be rejected if our members were all here. Giles, Clopton, Cabell & Nicholas are gone, & Clay goes to-morrow. He received here news of the death of his wife. Parker is completely gone over to the war party. In this state of things they will carry what they please. One of the war party, in a fit of unguarded passion, declared some time ago they

Digitized by Google

would pass a citizen bill, an alien bill, & a sedition bill; accordingly, some days ago, Coit laid a motion on the table of the H of R for modifying the citizen law. Their threats point at Gallatin, & it is believed they will endeavor to reach him by this bill. Yesterday mr. Hillhouse laid on the table of the Senate a motion for giving power to send away suspected aliens. This is understood to be meant for Volney & Collot. But it will not stop there when it gets into a course of execution. There is now only wanting, to accomplish the whole declaration before mentioned, a sedition bill, which we shall certainly soon see proposed. The object of that, is the suppression of the whig presses. Bache's has been particularly named. That paper & also Cary's totter for want of subscriptions. We should really exert ourselves to procure them, for if these papers fall, republicanism will be entirely brow beaten. Cary's paper comes out 3 times a week, @ 5 D. The meeting of the people which was called at New York, did nothing. It was found that the majority would be against the Address. They therefore chose to circulate it individually. The committee of ways & means have voted a land tax. An additional tax on salt will certainly be proposed in the House, and probably prevail to some degree. The stoppage of interest on the public debt will also, perhaps, be proposed, but not with effect. In the meantime, that paper cannot be sold. Hamilton is coming on as Senator from N. Y. There has been so much contrivance & combination in that, as to shew there is some great object in hand. Troup, the dis-

Digitized by Google

trict judge of N Y, resigns towards the close of the session of their Assembly. The appointment of mr. Hobart, then Senator, to succeed Troup, is not made by the President till after the Assembly had risen. Otherwise, they would have chosen the Senator in place of Hobart. Jay then names Hamilton, Senator, but not till a day or two before his own election as Governor was to come on, lest the unpopularity of the nomination should be in time to affect his own election. We shall see in what all this is to end; but surely in something. The popular movement in the eastern states is checked, as we expected, and war addresses are showering in from New Jersey & the great trading towns. However, we still trust that a nearer view of war & a land tax will oblige the great mass of the people to attend. At present, the war hawks talk of septembrizing, Deportation, and the examples for quelling sedition set by the French Executive. All the firmness of the human mind is now in a state of requisition. Salutations to mrs. Madison; & to yourself, friendship & adieu.

P.M. The bill for the naval department is passed.

TO JAMES MADISON. MAD. MSS.

PHILADELPHIA, May 3, 98.

I wrote you last on the 26th; since which yours of the 22d of April is received, acknoleging mine of the 12th; so that all appear to have been received to that date. The spirit kindled up in the towns is wonderful. These and N Jersey are pouring in their

Digitized by Google

addresses, offering life & fortune. Even these addresses are not the worst things. For indiscreet declarations and expressions of passion may be pardoned to a multitude acting from the impulse of the moment. But we cannot expect a foreign nation to shew that apathy to the answers of the President, which are more thrasonic than the addresses. Whatever chance for peace might have been left us after the publication of the despatches, is compleatly lost by these answers. Nor is it France alone, but his own fellow citizens, against whom his threats are uttered. In Fenno, of yesterday, you will see one, wherein he says to the address from Newark, "the delusions & misrepresentations which have misled so many citizens, must be discountenanced by authority as well as by the citizens at large;" evidently alluding to those letters from the representatives to their constituents, which they have been in the habit of seeking after & publishing; while those sent by the Tory part of the house to their constituents, are ten times more numerous, & replete with the most atrocious falsehoods & calumnies. What new law they will propose on this subject, has not yet leaked out. The citizen bill sleeps. The alien bill, proposed by the Senate, has not yet been brought in. That proposed by the H of R has been so moderated, that it will not answer the passionate purposes of the war gentlemen. Whether, therefore, the Senate will push their bolder plan, I know not. The provisional army does not go down so smoothly in the R. as it did in the Senate. They are whittling away some of it's

Digitized by Google

choice ingredients; particularly that of transferring their own constitutional discretion over the raising of armies to the President. A commtee of the R have struck out his discretion, and hang the raising of the men on the contingencies of invasion, insurrection, or declaration of war. Were all our members here, the bill would not pass. But it will, probably, as the House now is. It's expence is differently estimated, from 5. to 8. millions of dollars a year. Their purposes before voted, require 2. millions above all the other taxes, which, therefore, are voted to be raised on lands, houses & slaves. The provisional army will be additional to this. The threatening appearances from the Alien bills have so alarmed the French who are among us, that they are going off. A ship, chartered by themselves for this purpose, will sail within about a fortnight for France, with as many as she can carry. Among these I believe will be Volney, who has in truth been the principal object aimed at by the law. Notwithstanding the unfavorableness of the late impressions, it is believed the New York elections, which are over, will give us two or three republicans more than we now have. But it is supposed Jay is re-elected. It is said Hamilton declines coming to the Senate. He very soon stopped his Marcellus. It was rather the sequel that was feared than what actually appeared. He comes out on a different plan in his Titus Manlius, if that be really his. The appointments to the Missisipi territory were so abominable that the Senate could not swallow them. They referred them to a commte to inquire

Digitized by Google

into characters, and the P withdrew the nomination & has now named Winthrop Sergeant Governor, Steele of Augusta in Virginia, Secretary, Tilton & —— two of the Judges, the other not yet named. * * * As there is nothing material now to be proposed, we generally expect to rise in about three weeks. However, I do not yet venture to order my horses.

My respectful salutations to mrs. Madison. To yourself affectionate friendship, & adieu.

Perhaps the Pr's expression before quoted, may look to the Sedition bill which has been spoken of, and which may be meant to put the Printing presses under the Imprimatur of the executive. Bache is thought a main object of it. Cabot, of Massachusetts, is appointed Secretary of the Navy. It is said Hamilton declines coming to the Senate.

TO JAMES LEWIS, JUNIOR. J. MSS.

PHILADELPHIA, May 9, 1798.

DEAR SIR,—I am much obliged by your friendly letter of the 4th inst. As soon as I saw the first of mr. Martin's letters, I turned to the newspapers of the day, & found Logan's speech, as translated by a common Indian interpreter. The version I had used, had been made by Genl Gibson. Finding from mr. Martin's style, that his object was not merely truth, but to gratify party passions, I never read another of his letters. I determined to do my duty by searching

Digitized by Google

into the truth, & publishing it to the world, whatever it should be. This I shall do at a proper season. I am much indebted to many persons, who, without any acquaintance with me, have voluntarily sent me information on the subject. Party passions are indeed high. Nobody has more reason to know it than myself. I receive daily bitter proofs of it from people who never saw me, nor know anything of me but through Porcupine & Fenno. At this moment all the passions are boiling over, and one who keeps himself cool and clear of the contagion, is so far below the point of ordinary conversation, that he finds himself insulated in every society. However, the fever will not last. War, land tax & stamp tax, are sedatives which must calm its ardor. They will bring on reflection, and that, with information, is all which our countrymen need, to bring themselves and their affairs to rights. They are essentially republican. They retain unadulterated the principles of '75, and those who are conscious of no change in themselves have nothing to fear in the long run. It is our duty still to endeavor to avoid war; but if it shall actually take place, no matter by whom brought on, we must defend ourselves. If our house be on fire, without inquiring whether it was fired from within or without, we must try to extinguish it. In that, I have no doubt, we shall act as one man. But if we can ward off actual war till the crisis of England is over, I shall hope we may escape it altogether.

I am, with much esteem, dear Sir, your most obedient humble servant.

Digitized by Google

TO JAMES MADISON. MAD. MSS.

May 10. 98.

* * * No bill has passed since my last. The alien bill now before the Senate you will see in Bache. I shall make no comment on it. The first clause was debated through the whole of Tuesday. To judge from that we cannot expect above 5. or 6. votes against it. We suppose the lower house will throw it out & proceed on that which they have prepared. The bill for the provision of army is under debate. It will probably pass or be rejected by a very minute majority. If our members were here it would be rejected with ease. The tax on lands, slaves & houses is proceeding. The questions on that will only be of modification. The event of the N. York elections is not yet absolutely known, but it is still believed we have gained 2. more republicans to Congress. Burr was here a day or two ago. He says they have got a decided majority of Whigs in their state H. of R. He thinks that Connecticut has chosen one Whig, a mr. Granger, & calculates much on the effect of his election. An election here of town officers for Southwark, where it was said the people had entirely gone over to the tory side, showed them unmoved. The Whig ticket was carried by ten to one. The informations are so different as to the effect of the late dispatches on the people here that one does not know what to conclude: but I am of opinion they are little moved. Some of the young men who addressed the President on Monday mounted the Black (or English) cockade. The next day numbers of the people appeared with the tricolored (or French) cockade. Yes-

Digitized by Google

terday being the fast day the black cockade again appeared, on which the tricolour also showed itself. A fray ensued, the light horse were called in, & the city was so filled with confusion from about 6. to 10. o'clock last night that it was dangerous going out. I write in the morning & therefore know nothing of the particulars as yet, but as I do not send my letter to the post office till night, I shall probably be able by that time to add some details. It is also possible some question may be taken which may indicate the fate of the provisional army. There is a report, which comes from Baltimore, of peace between France & England on terms entirely dictated by the former. But we do not hear how it comes, nor pay the least attention to it.

P. M. By the proceedings in Senate today I conclude the alien bill will pass 17 to . The provisional army has been under debate in the lower house. A motion was made to strike out the first section confessedly for the purpose of trying the fate of the bill. The motion was lost by 44. to 17. Had all the members in town been present, & the question in the house instead of the committee, the vote would have been 45. against the bill & 46. for it. No further particulars about the riot appear. * * *

TO JAMES MADISON. J. MSS.

May 17. 98

My last to you was of the 10th. Since that I have received yours of the 5th. I immediately sent a note to Carey to forward his paper to your brother as you desired. The first vote of any importance on the

Digitized by Google

alien bill was taken yesterday. It was one agreeing on the 1st section, which was carried by 12. to 7. If all the Senators in town had been present it would have been 17. to 7. The Provisional army gets along. The Rep. have reduced the 28. to 10. M. They have struck out the clauses for calling out & exercising 20,000 militia at a time. The 1st Volunteer clause has been carried by a great majority. But endeavours will be made to render it less destructive & less injurious to the militia. I shall enclose you a copy of the land-tax bill. In the first moments of the tumult here, mentioned in my last, the cockade assumed by one party was mistaken to be the tricolor. It was the old blue & red adopted in some places in an early part of the revolution war. However it is laid aside. But the black is still frequent. I am a little apprehensive Burr will have miscalculated on Granger's election in Connecticut. However it is not yet known here. It was expected Hillhouse would have been elected their Lt. Govr. but Treadwell is chosen. We know nothing more certain yet of the New York elections. Hamilton declined his appointment as Senator, & Jay has named North, a quondam aid of Steuben. All sorts of artifices have been descended to, to agitate the popular mind. The President received 3. anonymous letters (written probably by some of the war men) announcing plots to burn the city on the fast-day. He thought them worth being known, & great preparations were proposed by the way of caution, & some were yielded to by the governor. Many weak people packed their most valuable movables to be ready for transportation. However the

Digitized by Google

day passed without justifying the alarms. Other idle stories have been since circulated, & the popular mind has not been proof against them. The addresses & answers go on. Some parts of Maryland & of this state are following the example of N. Jersey. The addresses are probably written here; those which come purely from the country are merely against the French, those written here are pointed with acrimony to party. You will observe one answer in which a most unjustifiable mention has been made of Monroe, without the least occasion leading to it from the address. It is now openly avowed by some of the eastern men that Congress ought not to separate. And their reasons are drawn from circumstances which will exist through the year. I was in hopes that all efforts to render the sessions of Congress permanent were abandoned. But a clear profit of 3. or 4. Dollars a day is sufficient to reconcile some to their absence from home. A French privateer has lately taken 3. American vessels from York & Phila. bound to England. We do not know their loading, but it has alarmed the merchants much. Wheat & flour are scarcely bought at all. Tobacco, old, of the best quality, has long been 14. D. My respects to Mrs. Madison & to the family. Affectionate adieus to yourself.

TO AARON BURR.

J. MSS.

PHILADELPHIA, May 20. 98.

DEAR SIR,—When I had the pleasure of seeing you here, I spoke to you on the case of a friend of mine, Dr. James Currie, of Richmond, and asked the favor of

Digitized by Google

you to proceed, in the way then spoken of, to recover against Robert Morris, Dr. Currie's demand, the papers establishing which you had received. I have just received a letter from him wishing this matter to be pressed. I take the liberty therefore of repeating my request, & that you will be so good as to send to mr. John Barnes, merchant south 3d street, who is my agent here a note of your own fee & of any costs which it may be necessary to advance & he will answer them now & from time to time on my account, whether I am here or not. I have not heard from mr. Burwell: but I know it to be his wish to have the same proceedings as shall be pursued for Dr. Currie. Mr. Barnes is his agent for his money matters at this place, so that his costs you will be so good as to note separately to him. His name is Lewis Burwell. He is also of Richmond.

This being merely a letter of business I shall only add assurances of the esteem & respect with which I am dear sir your most obedient & most humble servant.[1]

[1] Other letters to Burr on this subject are as follows:

PHILADELPHIA May 26th. 98.

DEAR SIR,—I received yesterday your favor of the 24th. The other notes delivered by Mr. Burwell to Mr. Ludlow belonged three of them to Dr Currie, & the rest to himself. To wit

				Doll.	
Dr. Currie's					
John Nicholson's note to	Rob. Morris	dated	Nov. 18. 94	for 3500	payable in 3 years
do	to do		Nov. 18. 94	3500	do
do	to do		Nov. 18. 94	4000	do
				11.000	
Mr. Burwell's					
John Nicholson's note to	Rob. Morris	dated	Nov. 20. 94	for 4000	payable in 3 years
do	to do		Nov. 20. 94	4000	do
do	to do		Jan. 15. 95	2500	do
do	to do		Mar. 1. 95	4000	do
				14,500	

Digitized by Google

TO JAMES MONROE. J. MSS.

PHILADELPHIA, May 21, 1798.

Yours of Apr 8 14, & May 4 & 14, have been received in due time. I have not written to you since the 19th ult., because I knew you would be out on a circuit, and would receive the letters only when they would be as old almanacs. The bill for the Provisional army has got through the lower house, the regulars reduced to 10,000, and the volunteers unlimited. It was carried by a majority of 11. The land-tax is now on the carpet to raise 2. millions of dollars; yet I think they must at least double it, as the expenses of the provisional army were not provided for in it, and will require of itself 4. millions a year. I presume, therefore, the tax on lands, houses, & negroes, will be a dollar a head on the population of each state. There are alien bills, sedition bills,

This last one of Mr. Burwell's was not delivered to mr. Ludlow, but will be handed to him by mr. Barnes by this day's post. You will therefore be pleased to proceed in the name of Dr. James Currie for the three first notes, amounting to 11,000 Dollars. You mention that discretionary powers must be given some person in N. York in order that you may be able to associate these gentlemen in a general compromise with some others for whom you will obtain judgment in July. Dr. Currie has given me full powers to act for him, & I hereby give you full & discretionary powers to do for him whatever you may think for his interest. I enclose you one of his letters to me sufficiently evidencing his committing the matter to me. Mr. Barnes is authorized by mr. Burwell to take the same steps for him which I do for Dr. Currie. He will therefore write to you this day. Dr. Currie has another claim by judgment recovered here against Griffin & Morris which may be the subject of a future letter to you. Perhaps, after I shall have seen Mr. Ingersoll his attorney (now absent from town).

If Congress mean to adjourn at all (which I doubt) I shall stay here till they adjourn. If they do not, after passing the land tax, I shall consider it as evidence they mean to make their sessions permanent, & shall then go home for the season. I am with great & sincere esteem, Dear Sir, your friend & servant.

Digitized by Google

&c., also before both houses. The severity of their aspect determines a great number of French to go off. A ship-load sails on Monday next; among them Volney. If no new business is brought on, I think they may get through the tax bill in 3 weeks. You will have seen, among numerous addresses & answers, one from Lancaster in this State, and it's answer. The latter travelling out of the topics of the address altogether, to mention you in a most injurious manner. Your feelings have no doubt been much irritated by it, as in truth it had all the characters necessary to produce irritation. What notice you should take of it is difficult to say. But there is one step in which two or three with whom I have spoken concur with me, that feeble as the hand is from which this shaft is thrown, yet with a great mass of our citizens, strangers to the leading traits of the character from which it

PHILADELPHIA, June 16. 98.

DEAR SIR,—In my letter of May 26. I mentioned to you that Dr. Currie had another demand by judgment against John Tayloe Griffin as principal, & Robert Morris garnishee, which should be the subject of a future letter to you. I now enclose you a transcript by the record of the Supreme Court of this state. It seems by this (I have not examined the record with minute attention) that the court have considered Robert Morris as holding property of Griffin's to the amount of £4305 Pensva currency = 11480 Dolls not due, as stated on interrogatory, till Dec. 3. 1800. But that interest at 5 per cent must have been payable annually, as he confesses judgment for £ 959-8-8 interest on that sum to Dec. 3, 95. which was paid to mr. Ingersoll, & a scire facias issued for the interest of the year 1796 being £215-5 has been issued since. On this last, nothing has been done, as no effects here can be got at. This interest therefore for the year 1796. & now also for the year 1797, is due & immediately recoverable as to the principal. I know not how the laws may be with you: but in Virginia, where we have courts of Chancery on the principles of that of England, tho' in a court of law the principal could not be demanded before due, yet the Chancery, in consideration of the hazard in which it is placed by the change of circumstances of Rob. Morris would either oblige him

Digitized by Google

came, it will have considerable effect; & that in order to replace yourself on the high ground you are entitled to, it is absolutely necessary you should reappear on the public theatre, and take an independent stand, from which you can be seen & known to your fellow citizens. The He of Repr appears the only place which can answer this end, as the proceedings of the other house are too obscure. Cabell has said he would give way to you, whenever you should chuse to come in, and I really think it would be expedient for yourself as well as the public, that you should not wait until another election, but come to the next session. No interval should be admitted between this last attack of enmity and your re-appearance with the approving voice of your constituents, & your taking a commanding attitude. I have not before been anxious for your return to public life, lest it should interfere with a proper pursuit of your private interests, but the next session will not at all interfere with your courts, because it must end Mar

to give security or sequester any property of his which the plaintiff would point out. If it be so with you, then we may hope that the principal may be secured so as to be received in 1800, & the interest for 96. & 97. immediately recovered. I will pray you however to have done for Dr. Currie both as to principal & interest whatever your laws will anthorize for the best. I enclose you a letter from him referring you to me, & I hereby give you as full powers to act herein as he has given to me. I leave this place in the morning of the 20th. & would thank you to be informed what prospect you think there is of these several matters. If I am gone, the letter will follow & find me at home. I am with great esteem dear sir your friend & servant.

MONTICELLO, Nov. 12. 1798.

DEAR SIR,—Dr. Currie, on whose behalf I troubled you last summer, being anxious to learn something of the prospect he may have of recovering from Robert Morris, I take the liberty of asking a line directed to me at this place

Digitized by Google

4, and I verily believe the next election will give us such a majority in the He of R as to enable the republican party to shorten the alternate unlimited session, as it is evident that to shorten the sessions is to lessen the evils & burthens of the government on our country. The present session has already cost 200,000 D, besides the wounds it has inflicted on the prosperity of the Union. I have no doubt Cabell can be induced to retire immediately, & that a writ may be issued at once. The very idea of this will strike the public mind, & raise its confidence in you. If this be done, I should think it best you should take no notice at all of the answer to Lancaster. Because, were you to shew a personal hostility against the answer, it would deaden the effect of everything you should say or do in your public place hereafter. All would be ascribed to an enmity to Mr. A., and you know with what facility such insinuations enter the minds of men. I have not seen Dawson since this answer has appeared, & therefore have not yet learnt

where I shall still be long enough to receive it. I should not have troubled you but that you expected early in the summer to be able to judge what could be done. I am aware at the same time that the fever at New York may have disturbed all legal proceedings.

I did not mean to say a word on politics, but it occurs that I have seen in the New York papers a calumny which I suppose will run through the union, that I had written by Doctr. Logan letters to Merlin & Taleyrand. On retiring from the Secretary of state's office, I determined to drop all correspondence with France, knowing the base calumnies which would be built on the most innocent correspondence. I have not therefore written a single letter to that country, within that period except to Mr. Short on his own affairs merely which are under my direction, and once or twice to Colo. Monroe. By Logan I did not write even a letter to Mr. Short, nor to any other person whatever. I thought this notice of the matter due to my friends, though I do not go into the newspapers with a formal declaration of it. I am &c.

Digitized by Google

his sentiments on it. My respectful salutations to Mrs. Monroe; & to yourself, affectionately adieu.

P. S. Always examine the seal before you open my letters.[1]

TO JAMES MADISON. MAD. MSS.

PHILADELPHIA, May 31, 98.

I wrote to you last on the 24th, since which yours of the 20th is received. I must begin by correcting two errors in my last. It was false arithmetic to say, that two measures therein mentioned to be carried by majorities of 11., would have failed if the 14. absentees (wherein a majority of 6 was ours) had been present. Six coming over from the other side would have turned the scale, and this was the idea floating in my mind, which produced the mistake. The 2d error was in the version of mr. A's expression, which I stated to you. His real expression was 'that he would not unbrace a single nerve for any treaty France could offer; such was their entire want of faith, morality,' &c.

The bill from the Senate for capturing French armed vessels found hovering on our coast was passed in two days by the lower house, without a single alteration; and the Ganges, a 20-gun sloop, fell down the river instantly to go on a cruise. She has since been ordered to New York, to convoy a vessel from that to this port. The Alien bill will be ready to day, probably, for it's 3d reading in the Senate. It has been considerably mollified, particularly

[1] On outside of letter.

Digitized by Google

by a proviso saving the rights of treaties. Still, it is a most detestable thing. I was glad, in yesterday's discussion, to hear it admitted on all hands, that laws of the U S, subsequent to a treaty, controul it's operation, and that the legislature is the only power which can controul a treaty. Both points are sound beyond doubt. This bill will unquestionably pass the He of R, the majority there being decisive, consolidated, and bold enough to do anything. I have no doubt from the hints dropped, they will pass a bill to declare the French treaty void. I question if they will think a declaration of war prudent, as it might alarm, and all it's effects are answered by the act authorizing captures. A bill is brought in for suspending all communication with the dominions of France, which will no doubt pass. It is suspected they mean to borrow money of individuals in London, on the credit of our land tax, & perhaps the guarantee of Gt Britain. The land tax was yesterday debated, and a majority of 6. struck out the 13th. section of the classification of houses, and taxing them by a different scale from the lands. Instead of this, is to be proposed a valuation of the houses & lands together. Macon yesterday laid a motion on the table for adjourning on the 14th. Some think they do not mean to adjourn ; others, that they wait first the return of the envoys, for whom it is now avowed the brig Sophia was sent. It is expected she would bring them off about the middle of this month. They may, therefore, be expected here about the 2d week of July. Whatever be their decision as

Digitized by Google

to adjournment, I think it probable my next letter will convey orders for my horses, and that I shall leave this place from the 20th to the 25th of June; for I have no expectation they will actually adjourn sooner. Volney & a ship-load of others sail on Sunday next. Another ship-load will go off in about 3 weeks. It is natural to expect they go under irritations calculated to fan the flame. Not so Volney. He is most thoroughly impressed with the importance of preventing war, whether considered with reference to the interests of the two countries, of the cause of republicanism, or of man on the broad scale. But an eagerness to render this prevention impossible, leaves me without any hope. Some of those who have insisted that it was long since war on the part of France, are candid enough to admit that it is now begun on our part also. I enclose for your perusal a poem on the alien bill, written by mr. Marshall. I do this, as well for your amusement, as to get you to take care of this copy for me till I return; for it will be lost by lending, if I retain it here, as the publication was suppressed after the sale of a few copies, of which I was fortunate enough to get one. Your locks, hinges, &c., shall be immediately attended to.

My respectful salutations & friendship to mrs. Madison, to the family, & to yourself. Adieu.

P. S. The President, it is said, has refused an Exequatur to the Consul General of France, Dupont.

P. P. S. This fact is true. I have it this moment from Dupont, and he goes off with Volney to France in two or three days.

Digitized by Google

TO JOHN TAYLOR. ED. OF 1829.

PHILADELPHIA, June 1, 1798.

* * * Mr. New showed me your letter on the subject of the patent, which gave me an opportunity of observing what you said as to the effect, with you, of public proceedings, and that it was not unwise now to estimate the separate mass of Virginia and North Carolina, with a view to their separate existence. It is true that we are completely under the saddle of Massachusetts and Connecticut, and that they ride us very hard, cruelly insulting our feelings, as well as exhausting our strength and subsistence. Their natural friends, the three other eastern States, join them from a sort of family pride, and they have the art to divide certain other parts of the Union, so as to make use of them to govern the whole. This is not new, it is the old practice of despots; to use a part of the people to keep the rest in order. And those who have once got an ascendancy, and possessed themselves of all the resources of the nation, their revenues and offices, have immense means for retaining their advantage. But our present situation is not a natural one. The republicans, through every part of the Union, say, that it was the irresistible influence and popularity of General Washington played off by the cunning of Hamilton, which turned the government over to anti-republican hands, or turned the republicans chosen by the people into anti-republicans. He delivered it over to his successor in this state, and very untoward events since, improved with great artifice, have produced on the public mind the

Digitized by Google

impressions we see. But still I repeat it, this is not the natural state. Time alone would bring round an order of things more correspondent to the sentiments of our constituents. But are there no events impending, which will do it within a few months? The crisis with England, the public and authentic avowal of sentiments hostile to the leading principles of our Constitution, the prospect of a war, in which we shall stand alone, land tax, stamp tax, increase of public debt, &c. Be this as it may, in every free and deliberating society, there must, from the nature of man, be opposite parties, and violent dissensions and discords; and one of these, for the most part, must prevail over the other for a longer or shorter time. Perhaps this party division is necessary to induce each to watch and delate to the people the proceedings of the other. But if on a temporary superiority of the one party, the other is to resort to a scission of the Union, no federal government can ever exist. If to rid ourselves of the present rule of Massachusetts and Connecticut, we break the Union, will the evil stop there? Suppose the New England States alone cut off, will our nature be changed? Are we not men still to the south of that, and with all the passions of men? Immediately, we shall see a Pennsylvania and a Virginia party arise in the residuary confederacy, and the public mind will be distracted with the same party spirit. What a game too will the one party have in their hands, by eternally threatening the other that unless they do so and so, they will join their

Digitized by Google

northern neighbors. If we reduce our Union to Virginia and North Carolina, immediately the conflict will be established between the representatives of these two States, and they will end by breaking into their simple units. Seeing, therefore, that an association of men who will not quarrel with one another is a thing which never yet existed, from the greatest confederacy of nations down to a town meeting or a vestry; seeing that we must have somebody to quarrel with, I had rather keep our New England associates for that purpose, than to see our bickerings transferred to others. They are circumscribed within such narrow limits, and their population so full, that their numbers will ever be the minority, and they are marked, like the Jews, with such a perversity of character, as to constitute, from that circumstance, the natural division of our parties. A little patience, and we shall see the reign of witches pass over, their spells dissolved, and the people recovering their true sight, restoring their government to its true principles. It is true, that in the meantime, we are suffering deeply in spirit, and incurring the horrors of a war, and long oppressions of enormous public debt. But who can say what would be the evils of a scission, and when and where they would end? Better keep together as we are, haul off from Europe as soon as we can, and from all attachments to any portions of it; and if they show their power just sufficiently to hoop us together, it will be the happiest situation in which we can exist. If the game runs sometimes against us at home, we

Digitized by Google

must have patience till luck turns, and then we shall have an opportunity of winning back the *principles* we have lost. For this is a game where principles are the stake. Better luck, therefore, to us all, and health, happiness and friendly salutations to yourself. Adieu.

P. S. It is hardly necessary to caution you to let nothing of mine get before the public; a single sentence got hold of by the Porcupines, will suffice to abuse and persecute me in their papers for months.

TO JAMES MADISON. MAD. MSS.

PHILADELPHIA June 7. 98.

I wrote you last on the 31st since which yours of the 27th of May is received. The alien bill when we had nearly got through it, on the 2d reading (on a report from the committee of the whole) was referred to a special committee. by a vote of it's friends (12) against 11. who thought it could be rejected on the question for the 3d reading. It is reported again very much softened, and if the proviso can be added to it, saving treaties, it will be less objectionable than I thought it possible to have obtained. Still it would place aliens not protected by treaties [*illegible*] absolute government. They have brought into the lower house a sedition bill, which among other enormities, undertakes to make printing certain matters criminal, tho' one of the amendments to the Constitution has so expressly taken religion, printing presses &c. out

Digitized by Google

of their coercion. Indeed this bill & the alien bill both are so palpably in the teeth of the Constitution as to shew they mean to pay no respect to it. The citizen bill passed by the lower house sleeps in a Committee of the Senate. In the mean time Callendar, a principal object of it, has eluded it, by getting himself made a citizen. Volney is gone. So is Dupont, the rejected consul. The bill suspending intercourse with the French dominions will pass the Senate today with a small amendment. The real object of this bill is to evade the counter-irritations of the English who under the late orders for taking all vessels from French ports, are now taking as many of our vessels as the French. By forbidding our vessels to go to or from French ports we remove the pabulum for these violations of our rights by the English, undertaking to do the work for them ourselves in another way. The tax on lands, houses, & slaves is still before the H. of R. They have determined to have the houses & lands valued separately though to pay the same tax ad valorem, but they avow that when they shall have got at the number & value of houses, they shall be free hereafter to tax houses separately, as by an indirect tax. This is to avoid the quotaing of which they cannot bear the idea. Requeries under a quotaing law can only shift the burthen from one part to another of the same state; but relieve them from the bridle of the quota & all requeries go to the relief of the states. So odious is the quota to the N. E. members that many think they will not pass the bill at all. The

Digitized by Google

question of adjournment was lost by two votes. Had our members been here it would have been carried & much mischief prevented. I think now they will make their session permanent. I have therefore in my letters of today ordered my horses to be at Fredsbg on the 24. & shall probably be with you on the 25th or 26th. I send you further communications from our envoys. To these I believe I may add on good grounds that Pinckney is gone with his family into the south of France for the health of his daughter, Marshal to Amsterdam (but whether coming here for instructions or not is a secret not entrusted to us) & Gerry remains at Paris. It is rumored & I believe with probability that there is a schism between Gerry & his colleagues. Perhaps the directory may make a treaty with Gerry, if they can get through it before the brig Sophia takes him off. She sailed the 1st of April. It is evident from these communications that our envoys had not the least idea of a war between the two countries; much less that their dispatches are the cause of it. I mentioned to you in my last that I expected they would bring in a bill to declare the treaty with France void. Dwight Foster yesterday brought in resolutions for that purpose, & for authorizing general reprisals on the French armed vessels: & such is their preponderance by the number & talents of our absentees withdrawing from us that they will carry it. Never was any event so important to this country since it's revolution, as the issue of the invasion of England. With that we shall stand or fall. Colo. Jones's situ-

Digitized by Google

ation is desperate. Every day is now expected to be his last. The petition for the reform of the British parliament enclosed in your last shall be disposed of as you desire. And the first vessel for Fredericksburg will carry your locks, hinges, pulleys & glass. My respectful salutations to Mrs. Madison & the family. Friendship & adieus to yourself.

TO ARCHIBALD STUART.[1]

PHILADELPHIA. June 8. 98.

DEAR SIR,—I inclose you some further communications from our envoys at Paris. To the information contained in these I can add that by the latest accounts Mr. Pinckney was gone into the south of France for the health of his family, Mr. Marshall to Amsterdam, and Mr. Gerry remained at Paris. It appears that neither themselves nor the French government dreamt of war between the two countries. It seems also fairly presumable that the douceur of 50,000 Guineas mentioned in the former dispatches was merely from X. and Y. as not a word is ever said by Taleyrand to our envoys, nor by them to him on the subject. It is now thought possible that Gerry may be pursuing the treaty for he was always viewed with more favor by the French government than his collegues whom they considered as personally hostile to them. It seems they offered to pay in time for unjustifiable spoliations, and insist on a present

[1] From the original in the possession of the Virginia Historical Society.

Digitized by Google

loan (and it would be much more than an equivalent). There seems nothing to prevent a conclusion, unless indeed the brig Sophia should arrive too soon & bring him away. She sailed from hence the 1st of April with positive orders to the envoys to come away. In the meantime, besides accumulating irritations we are proceeding to actual hostilities. You will have seen in the papers the bills already passed, and the measures now proposed. Every thing will be carried which is proposed. Nobody denies but that France has given just cause of war, but so has Gr. Britain & she is now capturing our vessels as much as France, but the question was one merely of prudence, whether seeing that both powers in order to injure one another, bear down every thing in their way, without regard to the rights of others, spoliating equally Danes, Swedes & Americans, it would not be more prudent in us to bear with it as the Danes & Swedes do, curtailing our commerce, and waiting for the moment of peace, when it is probable both nations would for their own interest & honour retribute for their wrongs. However the public mind has been artfully inflamed by publications well calculated to deceive them & them only and especially in the towns, and irritations have been multiplied so as to shut the door of accomodation, and war is now inevitable. I imagine that France will do little with us till she has made her peace with England, which, whether her invasion succeeds or fails, must be made this summer and autumn. The game on both sides is too heavy to be continued. When she

Digitized by Google

shall turn her arms on us, I imagine it will be chiefly against our commerce and fisheries. If any thing is attempted by land it will probably be to the westward. Our great expence will be in equipping a navy to be lost as fast as equipped, or to be maintained at an expence which will sink us with itself, as the like course is sinking Great Britain. Of the two millions of Dollars now to be raised by a tax on lands, houses & slaves, Virginia is to furnish between 3 & 400,000 but this is not more than half of the actual expence if the provisional army be raised, nor one tenth of what must be the annual expences. I see no way in which we can injure France so as to advance to negociation (as we must do in the end) on better ground than at present and I believe it will thus appear to our citizens generally as soon as the present fervor cools down and there will be many sedatives to effect this. For the present however, nothing can be done. Silence and patience are necessary for a while; and I must pray you, as to what I now write, to take care it does not get out of your own hand, nor a breath of it in a newspaper. I wrote to Mr. Clarke some time ago mentioning that I had been here for six months advancing for all the nail rods for my nailery without the possibility of receiving any thing from it till my return. That this will render it necessary to receive immediately on my return whatever sums my customers may have in hand for me. I yesterday received a letter from him informing me he had left Staunton, & with our approbation had turned over my matters to a Mr. John McDowell. As I am not

Digitized by Google

acquainted with him, nor as yet in correspondence with him, will you be so good as to mention to him that I shall have great need of whatever sum he may have on hand for me, as soon as I return, and should be very glad if he could lodge it with Col° Bell by our July court, at which I shall be, or if no conveyance occurs he can send me a line by post to Charlottesville informing me what sum I can count on. His future orders for nails I shall be able to attend to in person. I leave this for Monticello on the 20th inst. The adjournment of Congress is not yet fixed.

TO JAMES MADISON. MAD. MSS.

PHILADELPHIA, June 21, 98.

Yours of the 10th inst is received. I expected mine of the 14th would have been my last from hence, as I had proposed to have set out on the 20th; but on the morning of the 19th, we heard of the arrival of Marshall at New York and I concluded to stay & see whether that circumstance would produce any new projects. No doubt he there received more than hints from Hamilton as to the tone required to be assumed. Yet I apprehend he is not hot enough for his friends. Livingston came with him from New York. M told him they had no idea in France of a war with us. That Taleyrand sent passports to him & Pinckney, but none for Gerry. Upon this, Gerry staid, without explaining to them the reason.

Digitized by Google

He wrote, however, to the President by Marshall, who knew nothing of the contents of the letter. So that there must have been a previous understanding between Taleyrand & Gerry. M was received here with the utmost eclat. The Secretary of state & many carriages, with all the city cavalry, went to Frankfort to meet him, and on his arrival here in the evening, the bells rung till late in the night, & immense crowds were collected to see & make part of the shew, which was circuitously paraded through the streets before he was set down at the city tavern. All this was to secure him to their views, that he might say nothing which would expose the game they have been playing. Since his arrival I can hear of nothing directly from him, while they are disseminating through the town things, as from him, diametrically opposite to what he said to Livingston. Dr Logan, about a fortnight ago, sailed for Hamburg. Tho for a twelvemonth past he had been intending to go to Europe as soon as he could get money enough to carry him there, yet when he had accomplished this, and fixed a time for going, he very unwisely made a mystery of it: so that his disappearance without notice excited conversation. This was seized by the war hawks, and given out as a secret mission from the Jacobins here to solicit an army from France, instruct them as to their landing, &c. This extravagance produced a real panic among the citizens; & happening just when Bache published Taleyrand's letter, Harper, on the 18th, gravely announced to the He of R, that there existed a traitorous correspond-

Digitized by Google

ence between the Jacobins here and the French Directory; that he had got hold of some threads & clues of it, and would soon be able to develop the whole. This increased the alarm; their libelists immediately set to work, directly & indirectly to implicate whom they pleased. Porcupine gave me a principal share in it, as I am told, for I never read his papers. This state of things added to my reasons for not departing at the time I intended. These follies seem to have died away in some degree already. Perhaps I may renew my purpose by the 25th. Their system is, professedly, to keep up an alarm. Tracy, at the meeting of the joint committee for adjournment, declared it necessary for Congress to stay together to keep up the inflammation of the public mind; and Otis expressed a similar sentiment since. However, they will adjourn. The opposers of adjournment in Senate, yesterday agreed to adjourn on the 10th of July. But I think the 1st of July will be carried. That is one of the objects which detains myself, as well as one or two more of the Senate, who had got leave of absence. I imagine it will be decided to-morrow or next day. To separate Congress now, will be withdrawing the fire from under a boiling pot.

Your commissioners here are all in readiness, but no vessel for Fredericksburg has yet occurred.

My respectful salutations to mrs. Madison, & the family, & cordial friendship to yourself.

P. M. A message to both houses this day from the Prt, with the following communications.

Digitized by Google

Mar 23. Pickering's letter to the envoys, directing them, if they are not actually engaged in negociation with authorized persons, or not conducted bona fide, & not merely for procrastination, to break up & come home, and at any rate to consent to no loan.

Apr 3. Talleyrand to Gerry. He supposes the other two gentlemen, perceiving that their known principles are an obstacle to negociation, will leave the republic, and proposing to renew the negociations with Gerry immediately.

Apr 4. Gerry to Taleyrand. Disclaims a power to conclude anything separately, can only confer informally & as an unaccredited individual, reserving to lay everything before the government of the U S for approbation.

Apr 14. Gerry to the President. He communicates the preceding, and hopes the President will send other persons instead of his collegues & himself, if it shall appear that anything can be done.

The President's message says, that as the instructions were not to consent to any loan, he considers the negociation as at an end, and that he will never send another minister to France, until he shall be assured that he will be received and treated with the respect due to a great, powerful, free & independent nation.

A bill is brought into the Senate this day, to declare the treaties with France void, prefaced by a list of grievances in the style of a manifesto. It passed to the 2d. reading by 14 to 5.

A bill for punishing forgeries of bank paper, passed to the 3d. reading by 14 to 6. Three of the 14. (Laurence, Bingham & Read) bank directors.

TO SAMUEL SMITH. J. MSS.

MONTICELLO, Aug. 22, 98.

DEAR SIR,—Your favor of Aug 4 came to hand by our last post, together with the "extract of a letter from a gentleman of Philadelphia, dated July 10," cut

Digitized by Google

from a newspaper stating some facts which respect me. I shall notice these facts. The writer says that "the day after the last despatches were communicated to Congress, Bache, Leib, &c., and a Dr. Reynolds were *closeted* with me." If the receipt of visits in my public room, the door continuing free to every one who should call at the same time, may be called *closeting*, then it is true that I was *closeted* with every person who visited me; in no other sense is it true as to any person. I sometimes received visits from Mr. Bache & Dr. Leib. I received them always with pleasure, because they are men of abilities, and of principles the most friendly to liberty & our present form of government. Mr. Bache has another claim on my respect, as being the grandson of Dr. Franklin, the greatest man & ornament of the age and country in which he lived. Whether I was visited by Mr. Bache or Dr. Leib the day after the communication referred to, I do not remember. I know that all my motions at Philadelphia, here, and everywhere, are watched & recorded. Some of these spies, therefore, may remember better than I do, the dates of these visits. If they say these two gentlemen visited me on the day after the communications, as their trade proves their accuracy, I shall not contradict them, tho' I affirm that I do not recollect it. However, as to Dr. Reynolds I can be more particular, because I never saw him but once, which was on an introductory visit he was so kind as to pay me. This, I well remember, was before the communication alluded to, & that during the short conversation I had with him,

Digitized by Google

not one word was said on the subject of any of the communications. Not that I should not have spoken freely on their subject to Dr. Reynolds, as I should also have done to the letter writer, or to any other person who should have introduced the subject. I know my own principles to be pure, & therefore am not ashamed of them. On the contrary, I wish them known, & therefore willingly express them to every one. They are the same I have acted on from the year 1775 to this day, and are the same, I am sure, with those of the great body of the American people. I only wish the real principles of those who censure mine were also known. But warring against those of the people, the delusion of the people is necessary to the dominant party. I see the extent to which that delusion has been already carried, and I see there is no length to which it may not be pushed by a party in possession of the revenues & the legal authorities of the U S, for a short time indeed, but yet long enough to admit much particular mischief. There is no event, therefore, however atrocious, which may not be expected. I have contemplated every event which the Maratists of the day can perpetrate, and am prepared to meet every one in such a way, as shall not be derogatory either to the public liberty or my own personal honor. The letter writer says, I am "for peace; but it is only with France." He has told half the truth. He would have told the whole, if he had added England. I am for peace with both countries. I know that both of them have given, & are daily giving, sufficient

Digitized by Google

cause of war; that in defiance of the laws of nations, they are every day trampling on the rights of all the neutral powers, whenever they can thereby do the least injury, either to the other. But, as I view a peace between France & England the ensuing winter to be certain, I have thought it would have been better for us to continue to bear from France through the present summer, what we have been bearing both from her & England these four years, and still continue to bear from England, and to have required indemnification in the hour of peace, when I verily believe it would have been yielded by both. This seems to be the plan of the other neutral nations; and whether this, or the commencing war on one of them, as we have done, would have been wisest, time & events must decide. But I am quite at a loss on what ground the letter writer can question the opinion, that France had no intention of making war on us, & was willing to treat with Mr. Gerry, when we have this from Taleyrand's letter, and from the written and verbal information of our envoys. It is true then, that, as with England, we might of right have chosen either peace or war, & have chosen peace, and prudently in my opinion, so with France, we might also of right have chosen either peace or war, & we have chosen war. Whether the choice may be a popular one in the other States, I know not. Here it certainly is not; & I have no doubt the whole American people will rally ere long to the same sentiment, & rejudge those who, at present, think they have all judgment in their own hands.

Digitized by Google

These observations will show you, how far the imputations in the paragraph sent me approach the truth. Yet they are not intended for a newspaper. At a very early period of my life, I determined never to put a sentence into any newspaper. I have religiously adhered to the resolution through my life, and have great reason to be contented with it. Were I to undertake to answer the calumnies of the newspapers, it would be more than all my own time, & that of 20. aids could effect. For while I should be answering one, twenty new ones would be invented. I have thought it better to trust to the justice of my countrymen, that they would judge me by what they *see* of my conduct on the stage where they have placed me, & what they knew of me *before* the epoch since which a particular party has supposed it might answer some view of theirs to vilify me in the public eye. Some, I know, will not reflect how apocryphal is the testimony of enemies so palpably betraying the views with which they give it. But this is an injury to which duty requires every one to submit whom the public think proper to call into it's councils. I thank you, my dear Sir, for the interest you have taken for me on this occasion. Though I have made up my mind not to suffer calumny to disturb my tranquillity, yet I retain all my sensibilities for the approbation of the good & just. That is, indeed, the chief consolation for the hatred of so many, who, without the least personal knowledge, & on the sacred evidence of Porcupine & Fenno alone, cover me with their implacable hatred. The only return I will ever make

Digitized by Google

them, will be to do them all the good I can, in spite of their teeth.

I have the pleasure to inform you that all your friends in this quarter are well, and to assure you of the sentiments of sincere esteem & respect with which I am, dear Sir, your friend and servant.

TO ARCHIBALD HAMILTON ROWAN. J. MSS.

MONTICELLO, Sep. 26, 98.

SIR,—To avoid the suspicions & curiosity of the post office, which would have been excited by seeing your name and mine on the back of a letter, I have delayed acknoleging the receipt of your favor of July last, till an occasion to write to an inhabitant of Wilmington gives me an opportunity of putting my letter under cover to him. The system of alarm & jealousy which has been so powerfully played off in England, has been mimicked here, not entirely without success. The most long-sighted politician could not, seven years ago, have imagined that the people of this wide-extended country could have been enveloped in such delusion, and made so much afraid of themselves and their own power, as to surrender it spontaneously to those who are manœuvring them into a form of government, the principal branches of which may be beyond their control. The commerce of England, however, has spread its roots over the whole face of our country. This is a real source of all the obliquities of the public mind; and I should have had doubts of the ultimate term they might

Digitized by Google

attain; but happily, the game, to be worth the playing of those engaged in it, must flush them with money. The authorized expenses of this year are beyond those of any year in the late war for independence, & they are of a nature to beget great & constant expenses. The purse of the people is the real seat of sensibility. It is to be drawn upon largely, and they will then listen to truths which could not excite them through any other organ. In this State, however, the delusion has not prevailed. They are sufficiently on their guard to have justified the assurance, that should you chuse it for your asylum, the laws of the land, administered by upright judges, would protect you from any exercise of power unauthorized by the Constitution of the United States. The Habeas corpus secures every man here, alien or citizen, against everything which is not law, whatever shape it may assume. Should this, or any other circumstance, draw your footsteps this way, I shall be happy to be among those who may have an opportunity of testifying, by every attention in our power, the sentiments of esteem & respect which the circumstances of your history have inspired, and which are peculiarly felt by, Sir, your most obedient, and most humble servant.

TO WILSON CARY NICHOLAS.[1] J. MSS.

MONTICELLO Oct. 5. 98.

DR. SIR,—I entirely approve of the confidence you have reposed in mr Brackenridge, as he possesses

[1] "See his letter of Oct. 4. 98. to which this is an answer. Copy of a letter time not permitting a press copy this was immediately written from recollection & is nearly verbal."—*T. J.*

Digitized by Google

mine entirely. I had imagined it better those resolutions should have originated with N. Carolina. But perhaps the late changes in their representation may indicate some doubt whether they could have passed. In that case it is better they should come from Kentucky. I understand you intend soon to go as far as mr Madison's. You know of course I have no secrets for him. I wish him therefore to be consulted as to these resolutions. The post boy waiting at the door obliges me to finish here with assurances of the esteem of Dr Sir your friend & servt.

TO STEPHENS THOMPSON MASON. J. MSS.

MONTICELLO, Oct 11, 98.

DEAR SIR,—I received lately a letter from mr. Callendar to which the inclosed is an answer. After perusing it, be so good to stick a wafer in it and (after it is dry) deliver it. You will perceive that I propose to you the trouble of drawing for 50. D. for mr. Callendar on my correspondent in Richmond, George Jefferson, merchant. This is to keep his name out of sight. Make your draught if you please in some such form as this 'Pay to.....or order, (or 'Send me in bank bills by post) 50. Dollars on account of Thomas Jefferson according to advice received from him &c.' I shall immediately direct him to pay such a draught from you, without mentioning to him the purpose. I have to thank you for your favor of July 6. from Philadelphia. I did not immediately acknolege it, because I knew you would be

Digitized by Google

come away. The X. Y. Z. fever has considerably abated through the country, as I am informed, and the alien & sedition laws are working hard. I fancy that some of the State legislatures will take strong ground on this occasion. For my own part, I consider those laws as merely an experiment on the American mind, to see how far it will bear an avowed violation of the constitution. If this goes down we shall immediately see attempted another act of Congress, declaring that the President shall continue in office during life, reserving to another occasion the transfer of the succession to his heirs, and the establishment of the Senate for life. At least, this may be the aim of the Oliverians, while Monk & the Cavaliers (who are perhaps the strongest) may be playing their game for the restoration of his most gracious Majesty George the Third. That these things are in contemplation, I have no doubt; nor can I be confident of their failure, after the dupery of which our countrymen have shewn themselves susceptible.

You promised to endeavor to send me some tenants. I am waiting for them, having broken up two excellent farms with 12. fields in them of 40. acres each, some of which I have sowed with small grain, Tenants of any size may be accommodated with the number of fields suited to their force. Only send me good people, and write me what they are. Adieu. Yours affectionately.

Digitized by Google

PETITION ON ELECTION OF JURORS.[1]

[October 1798.]

To the General Assembly of the Commonwealth of Virginia

The Petition of Sundry persons inhabitants of the county of Albermarle and citizens of the said Commonwealth respectfully sheweth.

That though civil govmt. duly framed and administered be one of the greatest blessings and most powerful instruments for procuring safety and happiness to men collected in large societies, yet such is the proneness of those to whom its powers are necessarily deputed to pervert them to the attainment of personal wealth and dominion & to the utter oppression of their fellowmen, that it has become questionable whether the condition of our aboriginal neighbors who live without laws or magistracies be not preferable to that of the great mass of the nations of the earth who feel their laws and magistrates but in the weight of their burthens. That the citizens of these U. S. impressed with this mortifying truth when they deposed the abusive govmt under which they have lived, founded their new forms, as well particular as general in that fact and principle, that the people themselves are the safest deposit of power, and that none therefore should be trusted to others which they can competently exercise themselves, that their own experience having proved that the people are competent to the appointment or election of their agents, that of their chief executive magistrates was reserved to be made by themselves or by others chosen by themselves: as was also the choice of their legislatures whether composed of one or more branches: that in the judiciary department, sensible that they were inadequate to questions of law, these were in ordinary cases confided to permanent judges, reserving to juries only extraordinary cases where a bias in the permanent judge might be suspected, and where honest ignorance would be safer than perverted science: and reserving to themselves also the whole department of fact which constitutes indeed the great mass of judiciary litigations: that the wisdom of these reservations will

[1] See letters to Madison of October 26, 1798, and to John Taylor of November 26, 1798.

Digitized by Google

be apparent on a recurrence to the history of that country from which we chiefly emigrated, where the faint glimmerings of liberty and safety now remaining to the nation are kept in feeble life by the reserved powers of the people only. That in the establishment of the trial by jury, however, a great inconsistence has been overlooked in this and some others of the states, or rather has been copied from their original without due attention: for while the competence of the people to the appointmt even of the highest executive and the legislative agents is admitted & established, and their competence to be themselves the triers of judiciary facts, the appointment of the special individuals from among themselves who shall be such triers of fact has not been left in their hands, but has been placed by law in officers dependent on the executive or judiciary bodies: that triers of fact are therefore habitually taken in this state from among accidental bystanders and too often composed of foreigners attending on matters of business and of idle persons collected for purposes of dissipation, and in cases interesting to the powers of the public functionaries may be specially selected from descriptions of persons to be found in every country, whose ignorance or dependance renders them pliable to the will and designs of power. That in others of these states, [and particularly in those to the eastward of the union,[1]] this germ of rottedness in the constitution of juries has been carefully excluded, and their laws have provided with laudable foresight for the appointment of jurors by selectmen chosen by the people themselves: and to a like restitution of principle and salutary precaution against the abuse of power by the public functionaries, who never did yet in any country fail to betray and oppress those for the care of whose affairs they were appointed, by force if they possessed it, or by fraud and delusion if they did not, your petitioners pray the timely attention of their legislature, while that legislature (and with a heartfelt satisfaction the petitioners pronounce it) are still honest enough to wish the preservation of the rights of the people, and wise enough to circumscribe in time the spread of that gangrene which sooner than many are aware may reach the vitals of our political existence.

[1] This clause is struck out in MS.

Digitized by Google

And lest it should be supposed that the popular appointmt of jurors may scarcely be practicable in a state so exclusive and circumstanced as ours, your petitioners will undertake to suggest one mode, not presumg to propose it for the adoption of the legislature, but firmly relying that their wisdom will devise a better: they observe then that by a law already passed for the establishment of schools provision has been made for laying off every county into districts or precincts; that this division which offers so many valuable resources for the purposes of information, of justice, of order and police, may be recurred to for the object now in contemplation, and may be completed for this purpose where it has not been done for the other, and the inhabitants of every precinct may meet at a given time and place in their precinct and in the presence of the constable or other head officer of the precinct, elect from among themselves some one to be a juror, that from among those so chosen in every county some one may be designated by lot, who shall attend the ensuing session of the federal court within the state to act as grand and petty jurors, one of those from every senatorial district being designated by lot for a grand juror, and the residue attending to serve as petty jurors to be in like manner designated by lot in every particular case: that of the others so chosen in every county composing a district for the itinerant courts of this Commonwealth so many may be taken by lot as shall suffice for grand and petty juries for the district court next ensuing their election; and the residue so chosen in each county may attend their own county courts for the same purposes till another election, or if too numerous the supernumeraries may be discharged by lot: and that such compensation may be allowed for these services as without rendering the office an object worth canvassing may yet protect the juror from actual loss. That an institution on this outline, or such better as the wisdom of the Gen. ass. will devise, so modified as to guard it against the intrigue of parties, the influence of power, or irregularities of conduct, and further matured from time to time as experience shall develop its imperfections, may long preserve the trial by jury, in its pure and original spirit, as the true tribunal of the people, for a mitigation in the execution of hard laws when the power of preventing their passage is lost, and may

Digitized by Google

afford some protection to persecuted man, whether alien or citizen, which the aspect of the times warns we may want.

And your petitioners, waiving the expression of many important considerations which will offer themselves readily to the reflection of the general assembly, pray them to take the premises into deep and serious consideration and to do therein for their country what their wisdom shall deem best, and they as in duty bound shall ever pray &c.

TO JAMES MADISON. J. MSS.

Oct. 26th. 98.

The day after you left us, I sat down and wrote the petition I mentioned to you. It is not yet correct enough, & I enclose you a copy to which I pray your corrections, and to return it by the next post, that it may be set in motion. On turning to the judiciary law of the U. S. I find they established the designation of jurors *by lot or otherwise as NOW practised in the several states;* should this prevent, in the first moment the execution of so much of the proposed law, as respects the federal courts, the people will be in possession of the right of electing jurors as to the state courts, & either Congress will agree to conform their courts to the same rule, or they will be loaded with an odium in the eyes of the people generally which will force the matter through. I will send you a copy of the other paper by Richardson. Do not send for him till Monday sennight, because that gives us another post-day to warn you of any unexpected delays in winding up his work here for the season, which, tho' I do not foresee, may yet happen. Adieu affectionately.

Digitized by Google

TO JAMES MADISON. J. MSS.

MONTICELLO, November 17, 1798.

Mr. Richardson has been detained by several jobs indespensible to the progress of the carpenters, & to the securing what is done against winter. When will Whitten be done with you? or could you by any means dispense with his services till I set out for Philadelphia? My floors can only be laid while I am at home, and I can not get a workman here. Perhaps you have some other with you or near you who could go on with your work till his return to you. I only mention these things that if you have any other person who could enable you to spare him a few weeks, I could employ him to much accommodation till my departure in laying my floors. But in this consult your own convenience only.

I enclose you a copy of the draught of the Kentucky resolves. I think we should distinctly affirm all the important principles they contain, so as to hold to that ground in future, and leave the matter in such a train as that we may not be committed absolutely to push the matter to extremities, & yet may be free to push as far as events will render prudent. I think to set out so as to arrive in Philadelphia the Saturday before Christmas. My friendly respects to mrs. Madison, to your father & family; health, happiness & adieu to yourself.

40. lbs. of [ ] nails @ 14½d per lb. were sent this morning, being all we had. They contained (according to the count of a single pound) 314 × 40 = 12.560.

Digitized by Google

KENTUCKY LEGISLATURE.

In the Houſe of Repreſentatives,

NOVEMBER 10th, 1798.

THE HOUSE according to the ſtanding Order of the Day, reſolved itſelf into a Committee of the Whole on the ſtate of the Commonwealth,

Mr. CALDWELL in the Chair,

And after ſometime ſpent therein the Speaker reſumed the Chair, and Mr. Caldwell reported, that the Committee had according to order had under conſideration the Governor's Addreſs, and had come to the following RESOLUTIONS thereupon, which he delivered in at the Clerk's table, where they were twice read and agreed to by the Houſe.

I. RESOLVED, that the ſeveral ſtates compoſing the United States of America, are not united on the principle of unlimited ſubmiſſion to their General Government; but that by compact under the ſtyle and title of a Conſtitution for the United States and of amendments thereto, they conſtituted a General Government for ſpecial purpoſes, delegated to that Government certain definite powers, reſerving each ſtate to itſelf, the reſiduary maſs of right to their own ſelf Government; and that whenſoever the General Government aſſumes undelegated powers, its acts are unauthoritative, void, and of no force: That to this compact each ſtate acceded as a ſtate, and is an integral party, its co-ſtates forming as to itſelf, the other party: That the Government created by this compact was not made the excluſive or final *judge* of the extent of the powers delegated to itſelf; ſince that would have made its diſcretion, and not the conſtitution, the meaſure of its powers; but that as in all other caſes of compact among parties having no common Judge, each party has an equal right to judge for itſelf, as well of infractions as of the mode and meaſure of redreſs.

II. Reſolved, that the Conſtitution of the United States having delegated to Congreſs a power to puniſh treaſon, counterfeiting the ſecurities and current coin of the United States, piracies and felonies committed on the High Seas, and offences againſt the laws of nations, and no other crimes whatever, and it being true as a general principle, and one of the amendments to the Conſtitution having alſo declared, "that the powers not delegated to the United States by the Conſtitution, nor prohibited by it to the ſtates, are reſerved to the ſtates reſpectively, or to the people," therefore alſo the ſame act of Congreſs paſſed on the 14th day of July, 1798, and entitled "An act in addition to the act entitled an act for the puniſhment of certain crimes againſt the United States;" as alſo the act paſſed by them on the 27th day of June, 1798, entitled "An act to puniſh frauds committed on the Bank of the United States" (and all other their acts which aſſume to create, define, or puniſh crimes other than thoſe enumerated in the conſtitution) are altogether void and of no force, and that the power to create, define, and puniſh ſuch other crimes is reſerved, and of right appertains ſolely and excluſively to the reſpective ſtates, each within its own Territory.

III. Reſolved, that it is true as a general principle, and is alſo expreſsly declared by one of the amendments to the Conſtitution that "the powers not delegated to the United States by the Conſtitution, nor prohibited by it to the ſtates, are reſerved to the ſtates reſpectively or to the people;" and that no power over the freedom of religion, freedom of ſpeech, or freedom of the preſs being delegated to the United States by the Conſtitution, nor prohibited by it to the ſtates, all lawful powers reſpecting the ſame did of right remain, and were reſerved to the ſtates, or to the people: That thus was manifeſted their determination to retain to themſelves the right of judging how far the licentiouſneſs of ſpeech and of the preſs may be abridged without leſſening their uſeful freedom, and how far thoſe abuſes which cannot be ſeparated from

Digitized by Google

their uſe, ſhould be tolerated rather than the uſe be deſtroyed; and thus alſo they guarded againſt all abridgement by the United States of the freedom of religious opinions and exerciſes, and retained to themſelves the right of protecting the ſame, as this ſtate by a Law paſſed on the general demand of its Citizens, had already protected them from all human reſtraint or interference: And that in addition to this general principle and expreſs declaration, another and more ſpecial proviſion has been made by one of the amendments to the Conſtitution which expreſsly declares, that "Congreſs ſhall make no law reſpecting an Eſtabliſhment of religion, or prohibiting the free exerciſe thereof, or abridging the freedom of ſpeech, or of the preſs," thereby guarding in the ſame ſentence, and under the ſame words, the freedom of religion, of ſpeech, and of the preſs, inſomuch, that whatever violates either, throws down the ſanctuary which covers the others, and that libels, falſehoods, and defamation, equally with hereſy and falſe religion, are withheld from the cognizance of federal tribunals. That therefore the act of the Congreſs of the United States paſſed on the 14th day of July 1798, entitled "An act in addition to the act for the puniſhment of certain crimes againſt the United States," which does abridge the freedom of the preſs, is not law, but is altogether void and of no effect.

IV. Reſolved, that alien friends are under the juriſdiction and protection of the laws of the ſtate wherein they are; that no power over them has been delegated to the United States, nor prohibited to the individual ſtates diſtinct from their power over citizens; and it being true as a general principle, and one of the amendments to the Conſtitution having alſo declared, that "the powers not delegated to the United States by the Conſtitution nor prohibited by it to the ſtates are reſerved to the ſtates reſpectively or to the people," the act of the Congreſs of the United States paſſed on the 22d day of June, 1798, entitled "An act concerning aliens," which aſſumes power over alien friends not delegated by the Conſtitution, is not law, but is altogether void and of no force.

V. Reſolved, that in addition to the general principle as well as the expreſs declaration, that powers not delegated are reſerved, another and more ſpecial proviſion inſerted in the Conſtitution from abundant caution has declared, "that the *migration* or importation of ſuch perſons as any of the ſtates now exiſting ſhall think proper to admit, ſhall not be prohibited by the Congreſs prior to the year 1808." That this Commonwealth does admit the migration of alien friends deſcribed as the ſubject of the ſaid act concerning aliens; that a proviſion againſt prohibiting their migration, is a proviſion againſt all acts equivalent thereto, or it would be nugatory; that to remove them when migrated is equivalent to a prohibition of their migration, and is therefore contrary to the ſaid proviſion of the Conſtitution, and void.

VI. Reſolved, that the impriſonment of a perſon under the protection of the Laws of this Commonwealth on his failure to obey the ſimple *order* of the Preſident to depart out of the United States, as is undertaken by the ſaid act entitled "An act concerning Aliens," is contrary to the Conſtitution, one amendment to which has provided, that "no perſon ſhall be deprived of liberty without due proceſs of law" and that another having provided "that in all criminal proſecutions, the accuſed ſhall enjoy the right to a public trial by an impartial jury, to be informed of the nature and cauſe of the accuſation, to be confronted with the witneſſes againſt him, to have compulſory proceſs for obtaining witneſſes in his favour, and to have the aſſiſtance of counſel for his defence," the ſame act undertaking to authorize the Preſident to remove a perſon out of the United States who is under the protection of the Law, on his own ſuſpicion, without accuſation, without jury, without public trial, without confrontation of the witneſſes againſt him, without having witneſſes in his favour, without defence, without counſel, is contrary to theſe proviſions alſo of the Conſtitution,

Digitized by Google

is thererore not law but utterly void and of no force.

That transferring the power of judging any perſon who is under the protection of the laws. from the Courts to the Preſident of the United States, as is undertaken by the ſame act concerning Aliens, is againſt the article of the Conſtitution which provides, that "the judicial power of the United States ſhall be veſted in Courts, the Judges of which ſhall hold their offices during good behaviour," and that the ſaid act is void for that reaſon alſo; and it is further to be noted, that this transfer of Judiciary power is to that magiſtrate of the General Government who already poſſeſſes all the Executive, and a qualified negative in all the Legiſlative powers.

VII. Reſolved, that the conſtruction applied by the General Government (as is evinced by ſundry of their proceedings) to thoſe parts of the Conſtitution of the United States which delegate to Congreſs a power to lay and collect taxes, duties, impoſts, and exciſes; to pay the debts, and provide for the common defence, and general welfare of the United States, and to make all laws which ſhall be neceſſary and proper for carrying into execution the powers veſted by the Conſtitution in the Government of the United States, or any department thereof, goes to the deſtruction of all the limits preſcribed to their power by the Conſtitution—That words meant by that inſtrument to be ſubſidiary only to the execution of the limited powers, ought not to be ſo conſtrued as themſelves to give unlimited powers, nor a part ſo to be taken, as to deſtroy the whole reſidue of the inſtrument: That the proceedings of the General Government under colour of theſe articles, will be a fit and neceſſary ſubject for reviſal and correction at a time of greater tranquility, while thoſe ſpecified in the preceding reſolutions call for immediate redreſs.

VIII. Reſolved, that the preceding Reſolutions be tranſmitted to the Senators and Repreſentatives in Congreſs from this Commonwealth, who are hereby enjoined to preſent the ſame to their reſpective Houſes, and to uſe their beſt endeavours to procure at the next ſeſſion of Congreſs, a repeal of the aforeſaid unconſtitutional and obnoxious acts.

IX. Reſolved laſtly, that the Governor of this Commonwealth be and is hereby authoriſed and requeſted to communicate the preceding Reſolutions to the Legiſlatures of the ſeveral States, to aſſure them that this Commonwealth conſiders Union for ſpecified National purpoſes, and particularly for thoſe ſpecified in their late Federal Compact, to be friendly to the peace, happineſs, and proſperity of all the ſtates: that faithful to that compact, according to the plain intent and meaning in which it was underſtood and acceded to by the ſeveral parties, it is ſincerely anxious for its preſervation: that it does alſo believe, that to take from the ſtates all the powers of ſelf government, and transfer them to a general and conſolidated Government, without regard to the ſpecial delegations and reſervations ſolemnly agreed to in that compact, is not for the peace, happineſs, or proſperity of theſe ſtates: And that therefore, this Commonwealth is determined, as it doubts not its Co-ſtates are, tamely to ſubmit to undelegated & conſequently unlimited powers in no man or body of men on earth: that if the acts before ſpecified ſhould ſtand, theſe concluſions would flow from them; that the General Government may place any act they think proper on the liſt of crimes & puniſh it themſelves, whether enumerated or not enumerated by the Conſtitution as cognizable by them: that they may transfer its cognizance to the Preſident or any other perſon, who may himſelf be the accuſer, counſel, judge, and jury, whoſe *ſuſpicions* may be the evidence, his order the ſentence, his officer the executioner, and his breaſt the ſole record of the tranſaction: that a very numerous and valuable deſcription of the inhabitants of theſe ſtates, being by this precedent reduced as outlaws to the abſolute dominion of one man and the bar ar of the Conſtitution thus ſwept away from us all, no rampart now remains againſt the paſſions and the power of a majority of Congreſs, to protect from a like exportation or other more grievous puniſhment the minority of the ſame body, the

Digitized by Google

legiſlatures, Judges, Governors, & Counſellors of the ſtates, nor their other peaceable inhabitants who may venture to reclaim the conſtitutional rights & liberties of the ſtates & people, or who for other cauſes, good or bad, may be obnoxious to the views or marked by the ſuſpicions of the Preſident, or be thought dangerous to his or their elections or other intereſts public or perſonal: that the friendleſs alien has indeed been ſelected as the ſafeſt ſubject of a firſt experiment: but the citizen will ſoon follow, or rather has already followed; for, already has a Sedition Act marked him as its prey: that theſe and ſucceſſive acts of the ſame character, unleſs arreſted on the threſhold, may tend to drive theſe ſtates into revolution and blood, and will furniſh new calumnies againſt Republican Governments, and new pretexts for thoſe who wiſh it to be believed, that man cannot be governed but by a rod of iron: that it would be a dangerous deluſion were a confidence in the men of our choice to ſilence our fears for the ſafety of our rights: that confidence is every where the parent of deſpotiſm: free government is founded in jealouſy and not in confidence; it is jealouſy and not confidence which preſcribes limited Conſtitutions to bind down thoſe whom we are obliged to truſt with power: that our Conſtitution has accordingly fixed the limits to which and no further our confidence may go; and let the honeſt advocate of confidence read the Alien and Sedition Acts, and ſay if the Conſtitution has not been wiſe in fixing limits to the Government it created, and whether we ſhould be wiſe in deſtroying thoſe limits? Let him ſay what the Government is if it be not a tyranny, which the men of our choice have conferred on the Preſident, and the Preſident of our choice has aſſented to and accepted over the friendly ſtrangers, to whom the mild ſpirit of our Country and its laws had pledged hoſpitality and protection: that the men of our choice have more reſpected the bare ſuſpicions of the Preſident than the ſolid rights of innocence, the claims of juſtification, the ſacred force of truth, and the forms & ſubſtance of law and juſtice. In queſtions of power then let no more be heard of confidence in man, but bind him down from miſchief by the bands of the Conſtitution. That this Commonwealth does therefore call on its Co-ſtates for an expreſſion of their ſentiments on the acts concerning Aliens, and for the puniſhment of certain crimes herein before ſpecified, plainly declaring whether theſe acts are or are not authoriſed by the Federal Compact? And it doubts not that their ſenſe will be ſo announced as to prove their attachment unaltered to limited Government, whether general or particular, and that the rights and liberties of their Co-ſtates will be expoſed to no dangers by remaining embarked on a common bottom with their own: That they will concur with this Commonwealth in conſidering the ſaid acts as ſo palpably againſt the Conſtitution as to amount to an undiſguiſed declaration, that the Compact is not meant to be the meaſure of the powers of the General Government, but that it will proceed in the exerciſe over theſe ſtates of all powers whatſoever: That they will view this as ſeizing the rights of the ſtates and conſolidating them in the hands of the General Government with a power aſſumed to bind the ſtates (not merely in caſes made federal) but in all caſes whatſoever, by laws made, not with their conſent, but by others againſt their conſent: That this would be to ſurrender the form of Government we have choſen, and to live under one deriving its powers from its own will, and not from our authority; and that the Co-ſtates recurring to their natural right in caſes not made federal, will concur in declaring theſe acts void and of no force, and will each unite with this Commonwealth in requeſiting their repeal at the next ſeſſion of Congreſs.

EDMUND BULLOCK, S. H. R.
JOHN CAMPBELL, S. S. P. T.

Paſſed the Houſe of Repreſentatives, Nov. 10th, 1798.
Atteſt,
THOMAS TODD, C. H. R.

IN SENATE, November 13th, 1798, unanimouſly concurred in,
Atteſt, B. THRUSTON, Clk. Sen

Approved November 16th, 1798.
JAMES GARRARD, G. K.

BY THE GOVERNOR,
HARRY TOULMIN,
Secretary of State

Digitized by Google

DRAFTS OF THE KENTUCKY RESOLUTIONS OF 1798.[1] J. MSS.

[Nov. 1798]

ROUGH DRAFT.

1. Resolved that the several states composing the U. S. of America ~~did~~ are not united on the principle of unlimited submission to their general government; but that by a compact

FAIR COPY.

1. *Resolved*, That the several States composing the United States of America, are not united on the principle of unlimited submission to their general government; but that, by a

[1] The text in the first column is from the rough draft, and that in the second from a fair copy. The facsimile is the text actually moved by Breckenridge, adopted by the Kentucky legislature, and sent to the other state legislatures.

As early as April 26, 1798 (see *ante*, p. 244) Jefferson was predicting and disapproving of possible Alien and Sedition bills, and from that time his letters express the strongest dislike to those acts. Thoroughly opposed to disunion (see letter to John Taylor, VII, p. 263) yet believing these Federalist measures only initial steps towards a dictatorship or monarchy, Jefferson cast about him for some means of checking the project, and finally hit upon the now famous doctrine of nullification of Federal statutes by means of resolutions of state legislatures. No one better realized the hazard of such a doctrine than its inventor, as is indicated not merely by the guarded phrasing, (done with purpose as is shown by his letters to Madison, Taylor, and Nicholas, *post*,) but quite as much by the absolute secrecy with which his share in the whole attempt was kept for many years.

The resolutions were originally prepared for North Carolina, and their destination changed for reasons given in the letter to Nicholas, *ante*, p. 281.

Jefferson wrote to Madison:

"MONTICELLO, November 17, 1798.

"I enclose you a copy of the draught of the Kentucky resolves. I think we should distinctly affirm all the important principles they contain, so as to hold to that ground in future, and leave the matter in such a train as that we may not be committed to push matters to extremities, & yet may be free to push as far as events will render prudent."

To Taylor he wrote:

"MONTICELLO, Nov. 26, 1798.

"For the present I should be for resolving the alien & sedition laws to be against the constitution & merely void, and for addressing the other States to obtain similar declarations; and I would not do anything at this

Digitized by Google

under the style & title of a Constitution for the U. S. and of Amendments thereto, they constituted a General government for special purposes; delegated to that government certain definite powers, reserving, each state to itself, the residuary mass of right to their own self-government; and that whenso-

compact under the style and title of a Constitution for the United States, and of amendments thereto, they constituted a general government for special purposes, — delegated to that government certain definite powers, reserving, each State to itself, the residuary mass of right to their own self-

moment which should commit us further, but reserve ourselves to shape our future measures or no measures, by the events which may happen."

The history of the resolutions Jefferson stated in a letter to John Cabel Breckenridge:

"MONTICELLO, December 11, 1821.

"DEAR SIR,—Your letter of December 19th places me under a dilemma which I cannot solve but by an exposition of the naked truth. I would have wished this rather to have remained as hitherto, without inquiry, but your inquiries have a right to be answered. I will do it as exactly as the great lapse of time and a waning memory will enable me. I may misremember indifferent circumstances, but can be right in substance. At the time when the Republicans of our country were so much alarmed at the proceedings of the Federal ascendancy in Congress, in the Executive and the Judiciary departments, it became a matter of serious consideration how head could be made against their enterprises on the Constitution. The leading republicans in Congress found themselves of no use there, browbeaten as they were by a bold and overwhelming majority. They concluded to retire from that field, take a stand in their state legislatures, and endeavor there to arrest their progress. The Alien and Sedition laws furnished the particular occasion. The sympathy between Virginia and Kentucky was more cordial and more intimately confidential than between any other two States of republican policy. Mr. Madison came into the Virginia legislature. I was then in the Vice-Presidency, and could not leave my station; but your father, Colonel W. C. Nicholas, and myself, happening to be together, the engaging the co-operation of Kentucky in an energetic protestation against the constitutionality of those laws became a subject of consultation. Those gentlemen pressed me strongly to sketch resolutions for that purpose, your father undertaking to introduce them to that legislature, with a solemn assurance, which I strictly required, that it should not be known from what quarter they came. I drew and delivered them to him, and in keeping their origin secret he fulfilled his pledge of honor. Some years after

Digitized by Google

ever the General government assumes undelegated powers, it's acts are unauthoritative, void & of no force.

That to this compact each state acceded as a state, and is an integral party, it's co-states forming, as to itself, the other party.

~~That the constitutional form~~ government; and that whensoever the general government assumes undelegated powers, its acts are unauthoritative, void, and of no force: that to this compact each State acceded as a State, and is an integral party, its co-States forming, as to itself, the other party: that the government created by this

this, Colonel Nicholas asked me if I had any objection to it being known that I had drawn them. I pointedly enjoined that it should not. Whether he had unguardedly intimated before to any one I know not, but I afterwards observed in the papers repeated imputations of them to me, on which, as has been my practice on all occasions of imputation, I have observed entire silence. The question, indeed, has never before been put to me, nor should I answer it to any other than yourself, seeing no good end to be proposed by it, and the desire of tranquility inducing with me a wish to be withdrawn from public notice. Your father's zeal and talents were too well known to desire any additional distinction from the penning these resolutions. That circumstance surely was of far less merit than the proposing and carrying them through the legislature of his state. The only fact in this statement on which my memory is not distinct, is the time and occasion of the consultation with your father and Mr. Nicholas. It took place here I know, but whether any other person was present or communicated with is my doubt. I think Mr. Madison was either with us or consulted, but my memory is uncertain as to minor details. I fear, dear sir, we are now in such another crisis, with this difference only, that the judiciary branch is alone and singlehanded in the present assaults on the Constitution; but its assaults are more sure and deadly, as from an agent seemingly passive and unassuming. May you and your contemporaries meet them with the same determination and effect as your father and his did the 'alien and sedition' laws and preserve inviolate a constitution which, cherished in all its chastity and purity, will prove in the end a blessing to all the nations of the earth. With these prayers, accept those for your own happiness and prosperity."

The resolutions, with those of Virginia of 1798 and 1799, produced an extensive pamphlet literature at the time, a bibliography of which is a distinct desideratum, and has since then been the cause of many publications. The most interesting arguments on the questions involved are those of Story, Calhoun, Van Holst, and Johnston, and minute histories of the Kentucky resolutions have been written by R. T. Durrett (*Southern Bivouac*, I, 577, 658, 760), and by E. D. Warfield (New York: 1887).

Digitized by Google

of action for this common-wealth as a party with respect to any other party is by it's organized powers & not by it's citizens in a body.

That the government created by this compact was not made the exclusive or final judge of the extent of the powers delegated to itself, since that would have made it's discretion, & not the constitution, the measure of it's powers: but that, as in all other cases of compact among powers having no common judge, each party has an equal right to judge for itself, as well of infractions, as of the mode & measure of redress.

2. Resolved that, one of the Amendments to the Constitution having declared that "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof, or abridging the freedom of speech, or of the press, the act of the Congress of the U. S. passed on the 1st day of July 1798, intituled 'An act in addition to the act intituled an Act for the punishment of certain crimes against the U. S.' which does abridge the freedom of speech & of the press, is not law, but is altogether void and of no force.

2. Resolved that, the Constitution compact was not made the exclusive or final judge of the extent of the powers delegated to itself; since that would have made its discretion, and not the Constitution, the measure of its powers; but that, as in all other cases of compact among powers having no common judge, each party has an equal right to judge for itself, as well of infractions as of the mode and measure of redress.

2. *Resolved*, That the Consti-

Digitized by Google

tution of the U. S. having delegated to Congress a power to punish treason, conterfeiting the securities & current coin of the U. S. and piracies & felonies committed on the high seas and offences against the law of nations, and no other crimes whatsover, and it being true as a general principle, and one of the Amendments to the Constitution having also declared, that 'the powers not delegated to the U. S. by the constitution, nor prohibited by it to the states, are reserved to the states respectively, or to the people,' therefore ~~also~~, the ~~same~~ act of Congress ~~passed by Congress~~ on the 14th day of July 1798, and intituled 'an Act in addition to the act intituled an Act for the punishment of certain crimes against the U. S.' as also the act passed by them on the day of June 1798, intituled 'an Act to punish frauds committed on the bank of the U. S.,' (and all their other acts which assume to create, define, or punish crimes, other than those so enumerated in the Constitution) are altogether void and of no force and that the power to create, define, & punish such other crimes is reserved, and of right appurtains solely and exclusively to the respective

tution of the United States having delegated to Congress a power to punish treason, counterfeiting the securities and current coin of the United States, piracies, and felonies committed on the high seas, and offences against the law of nations, and no other crimes whatsoever; and it being true as a general principle, and one of the amendments to the Constitution having also declared, that "the powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people," therefore the act of Congress, passed on the 14th day of July, 1798, and intituled "An Act in addition to the act intituled An Act for the punishment of certain crimes against the United States," as also the act passed by them on the — day of June, 1798, intituled "An Act to punish frauds committed on the bank of the United States," (and all their other acts which assume to create, define, or punish crimes, other than those so enumerated in the Constitution,) are altogether void, and of no force; and that the power to create, define, and punish such other crimes is reserved, and, of right,

Digitized by Google

states, each within it's own territory.

3. Resolved that it is true as a general principle and is also expressly declared by one of the amendments to the constitution that 'the powers not delegated to the U. S. by the constitution nor prohibited by it to the states, are reserved to the states respectively or to the people:' and that no power over the freedom of religion, freedom of speech, or freedom of the press being delegated to the U. S. by the constitution, nor prohibited by it to the states, all lawful powers respecting the same did of right remain, & were reserved to the states or the people: that thus was manifested their determination to retain to themselves the right of judging how far the licentiousness of speech and of the press may be abridged without lessening their useful freedom, and how far these abuses which cannot be separated from their use should be tolerated rather than the use be destroyed; and thus also they guarded against all abridgment by the U. S. of the freedom of religious opinions and exercises, & retained to themselves the right of protecting the same, as this state

appertains solely and exclusively to the respective States, each within its own territory.

3. *Resolved*, That it is true as a general principle, and is also expressly declared by one of the amendments to the Constitution, that "the powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people"; and that no power over the freedom of religion, freedom of speech, or freedom of the press being delegated to the United States by the Constitution, nor prohibited by it to the States, all lawful powers respecting the same did of right remain, and were reserved to the States or the people: that thus was manifested their determination to retain to themselves the right of judging how far the licentiousness of speech and of the press may be abridged without lessening their useful freedom, and how far those abuses which cannot be separated from their use should be tolerated, rather than the use be destroyed. And thus also they guarded against all abridgment by the United States of the freedom of religious opinions and exercises, and retained to themselves the

Digitized by Google

by a law passed on the general demand of it's citizens had already protected them from all human restraint and interference. And that in addition to this general principle & ~~the~~ express declaration, another & more special provision has been made by one of the amendments to the constitution which expressly declares that 'Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof or abridging the freedom of speech of the press' thereby guarding in the same sentence and under the same words the freedom of religion, of speech & of the press, insomuch that whatever violates ~~one~~ either throws down the sanctuary which covers the others, and that ~~putting~~ witholding libels, falsehood and defamation equally with heresy & false religion are witheld from ~~federal~~ the cognisance of ~~the~~ federal tribunals, that therefore the act of the Congress of the U. S. passed on the 14th day of July 1798 intituled 'an act in addition to the act intituled an Act for the punishment of certain crimes against the U. S.' which does abridge the freedom of the press is not law, but is altogether void and of no force.

right of protecting the same, as this State, by a law passed on the general demand of its citizens, had already protected them from all human restraint or interference. And that in addition to this general principle and express declaration, another and more special provision has been made by one of the amendments to the Constitution, which expressly declares, that "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof, or abridging the freedom of speech or of the press": thereby guarding in the same sentence, and under the same words, the freedom of religion, of speech, and of the press: insomuch, that whatever violates either, throws down the sanctuary which covers the others, and that libels, falsehood, and defamation, equally with heresy and false religion, are withheld from the cognizance of federal tribunals. That, therefore, the act of Congress of the United States, passed on the 14th day of July, 1798, intituled "An Act in addition to the act intituled An Act for the punishment of certain crimes against the United States," which does abridge the freedom of the press, is not

Digitized by Google

4. Resolved that Alien-friends are under the jurisdiction and protection of the laws of the state wherein they are, that no power over them has been delegated to the U. S. nor prohibited to the individual states distinct from their power over citizens: and it being true as a general principle, and one of the Amendments to the constitution having also declared, that 'the powers not delegated to the U. S. by the constitution, nor prohibited by it to the States are reserved to the states respectively, or to the people,' the act of the Congress of the U. S. passed on the day of July 1798 intituled 'an Act concerning Aliens' which assumes powers over alien friends not delegated by the constitution is not law, but is altogether void & of no force.

5. Resolved that in addition to the general principle, as well as the express declaration, that powers not delegated are reserved, another and more special provision, inserted in the constitution from abundant caution, has declared that 'the migration or importation of such persons as any of the

4. *Resolved*, That alien friends are under the jurisdiction and protection of the laws of the State wherein they are: that no power over them has been delegated to the United States, nor prohibited to the individual States, distinct from their power over citizens. And it being true as a general principle, and one of the amendments to the Constitution having also declared, that "the powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people," the act of the Congress of the United States, passed on the — day of July, 1798, intituled "An Act concerning aliens," which assumes powers over alien friends, not delegated by the Constitution, is not law, but is altogether void, and of no force.

5. *Resolved*, That in addition to the general principle, as well as the express declaration, that powers not delegated are reserved, another and more special provision, inserted in the Constitution from abundant caution, has declared that "the migration or importation of such persons as any of the

Digitized by Google

states now existing shall think proper to admit, shall not be prohibited by the Congress prior to the year 1808,' that this commonwealth does admit the migration of Alien friends described as the subject of the said act concerning aliens; that a provision against prohibiting their migration, is a provision against all acts equivalent thereto, or it would be nugatory; that to remove them when migrated is equivalent to a prohibition of their migration, and is therefore contrary to the said provision of the constitution, and void.

6. Resolved that the imprisonment of a person under the protection of the laws of this commonwealth on his failure to obey the simple order of the President to depart out of the U. S. as is undertaken by the said act intituled 'an act concerning Aliens' is contrary to the constitution, one amendment to which has provided that 'no person shall be deprived of liberty, without due process of law'; and that another having provided that 'in all criminal cases prosecutions the accused shall enjoy the right to a public trial, by an impartial jury, to be informed of the nature & cause of the

States now existing shall think proper to admit, shall not be prohibited by the Congress prior to the year 1808": that this commonwealth does admit the migration of alien friends, described as the subject of the said act concerning aliens: that a provision against prohibiting their migration, is a provision against all acts equivalent thereto, or it would be nugatory: that to remove them when migrated, is equivalent to a prohibition of their migration, and is, therefore, contrary to the said provision of the Constitution, and void.

6. *Resolved*, That the imprisonment of a person under the protection of the laws of this commonwealth, on his failure to obey the simple *order* of the President to depart out of the United States, as is undertaken by said act intituled "An Act concerning aliens," is contrary to the Constitution, one amendment to which has provided that "no person shall be deprived of liberty without due process of law"; and that another having provided that "in all criminal prosecutions the accused shall enjoy the right to public trial by an impartial jury, to be informed of the nature and cause of the

Digitized by Google

accusation to be confronted with the witnesses against him, to have compulsory process for obtaining witnesses in his favor and to have the assistance of counsel for his defence' the same act undertaking to authorise the President to remove a person out of the U. S. who is under the protection of the law, on his own suspicion without accusation, without jury, without public trial, without confrontation of the witnesses against him, without hearing witnesses in his favor, without defence, without counsel, is contrary to these provisions also of the constitution, is therefore not law, but utterly void and of no force. That transferring the power of judging any person who is under the protection of the laws from the courts to the President of the U. S. as is undertaken by the same act concerning aliens, is against the article of the constitution which provides that 'the judicial power of the U. S. shall be vested in courts the judges of which shall hold their offices during good behavior,' and that the s'd act is void for that reason also. And it is further to be noted that this transfer of judiciary power is to that magistrate of the general accusation, to be confronted with the witnesses against him, to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defence," the same act, undertaking to authorize the President to remove a person out of the United States, who is under the protection of the law, on his own suspicion, without accusation, without jury, without public trial, without confrontation of the witnesses against him, without hearing witnesses in his favor, without defence, without counsel, is contrary to the provision also of the Constitution, is therefore not law, but utterly void, and of no force: that transferring the power of judging any person, who is under the protection of the laws, from the courts to the President of the United States, as is undertaken by the same act concerning aliens, is against the article of the Constitution which provides that "the judicial power of the United States shall be vested in courts, the judges of which shall hold their offices during good behavior"; and that the said act is void for that reason also. And it is further to be noted, that this transfer of judiciary power is to that

Digitized by Google

government who already possesses all the Executive and a negative on all the Legislative proceed.

7. Resolved that the construction applied by the general government, (as is evidenced by sundry of their proceedings) to those parts of the constitution of the U. S. which delegate to Congress a power 'to lay & collect taxes, duties, imposts, & excises, to pay the debt and provide for the common defence and welfare of the U. S.' and 'to make all laws which shall be necessary & proper for carrying into execution the powers vested by the constitution in the government of the U. S. or in any department or officers thereof,' goes to the destruction of all the limits prescribed to their power by the constitution; that words meant by that instrument to be subsidiary only to the execution of limited powers, ought not to be so construed as themselves to give unlimited powers nor a part to be so taken as to destroy the whole residue of the instrument. That the proceedings of the general government under colour of these articles, will be a fit and necessary subject of revisal & correction at a time of greater tranmagistrate of the general government who already possesses all the Executive, and a negative on all Legislative powers.

7. *Resolved*, That the construction applied by the General Government (as is evidenced by sundry of their proceedings) to those parts of the Constitution of the United States which delegate to Congress a power "to lay and collect taxes, duties, imposts, and excises, to pay the debts, and provide for the common defence and general welfare of the United States," and "to make all laws which shall be necessary and proper for carrying into execution the powers vested by the Constitution in the government of the United States, or in any department or officer thereof," goes to the destruction of all limits prescribed to their power by the Constitution: that words meant by the instrument to be subsidiary only to the execution of limited powers, ought not to be so construed as themselves to give unlimited powers, nor a part to be so taken as to destroy the whole residue of that instrument: that the proceedings of the General Government under color of these articles, will be a fit and necessary subject

Digitized by Google

quillity, while those specified, in the preceding resolutions, call for immediate redress.

8. Resolved that a committee of conference & correspondence be appointed who shall have in charge to communicate the preceding resolutions to the legislatures of the several states, to assure them that this commonwealth continues in the same esteem for their friendship and union which it has manifested from that moment at which a common danger first suggested a common union: that it considers union, for specified national purposes, and particularly for those specified in their late federal compact, to be friendly to the peace, happiness and prosperity of all the states: that faithful to that compact, according to the plain intent & meaning in which it was understood & acceded to by the several parties, it is sincerely anxious for it's preservation. That it does also believe that to take from the states all the powers of self-government, & transfer them to a general & consolidated government, without regard to the special delegations and reservations solemnly agreed to of revisal and correction, at a time of greater tranquillity, while those specified in the preceding resolutions call for immediate redress.

8th. *Resolved*, That a committee of conference and correspondence be appointed, who shall have in charge to communicate the preceding resolutions to the Legislatures of the several States; to assure them that this commonwealth continues in the same esteem of their friendship and union which it has manifested from that moment at which a common danger first suggested a common union: that it considers union, for specified national purposes, and particularly to those specified in the late federal compact, to be friendly to the peace, happiness, and posperity of all the States: that faithful to that compact, according to the plain intent and meaning in which it was understood and acceded to by the several parties, it is sincerely anxious for its preservation: that it does also believe, that to take from the States all the powers of self-government and transfer them to a general and consolidated government, without regard to the special delegations and reser-

Digitized by Google

in that compact, is not for the peace, happiness or prosperity of these states: and that therefore this commonwealth is determined, as it doubts not it's co-states are, to submit to undelegated & consequently unlimited powers in no man, or body of men on earth: ~~that it ought not~~ that in cases of an abuse of the delegated powers, the members of the general government being chosen by the people, a change by the people would be the constitutional remedy; but where powers are assumed which have not been delegated, a nullification of the act is the rightful remedy: that every state has a natural right in cases not within the compact (casus non fœderis) to nullify of their own authority, all assumptions of power by others within their limits, that without this right they would be under the dominion, absolute and unlimited, of whosoever might exercise this right of judgment for them: that nevertheless this commonwealth from motives of regard & respect for it's co-states has wished to communicate with them on the subject; that with them alone it is proper to communicate, they alone being parties to the compact, & solely vations solemnly agreed to in that compact, is not for the peace, happiness, or prosperity of these States; and that therefore this commonwealth is determined, as it doubts not its co-States are, to submit to undelegated, and consequently unlimited powers in no man, or body of men on earth: that in cases of an abuse of the delegated powers, the members of the general government, being chosen by the people, a change by the people would be the constitutional remedy; but, where powers are assumed which have not been delegated, a nullification of the act is the rightful remedy: that every State has a natural right in cases not within the compact, (casus non fœderis,) to nullify of their own authority all assumptions of power by others within their limits: that without this right they would be under the dominion, absolute and unlimited, of whosoever might exercise this right of judgment for them: that nevertheless, this commonwealth, from motives of regard and respect for its co-States, has wished to communicate with them on the subject: that with them alone it is proper to communicate, they alone being

Digitized by Google

authorised to judge in the last resort of the powers exercised under it; Congress being not a party, but merely the creature of the compact & subject as to it's assumptions of power to the final judgment of those by whom & for whose use itself and it's powers were all created and modified, that if those acts before specified should stand, these conclusions would flow from them; that the General government may place any act they think proper on the list of crimes and punish it themselves whether enumerated or not enumerated by the constitution as cognizable by them, that they may transfer its cognisance to the President or any other person, who may himself be the accuser, counsel, judge & jury, whose suspicions may be the evidence, his order the sentence, his officer the executioner, & his breast the sole record of the transaction: that a very numerous & valuable description of the inhabitants of these states being, by this precedent reduced as Outlaws to the absolute dominion of one man, and the barrier of the constitution thus swept away for us all, no rampart now remains against ~~the will and~~ the passions and the power

parties to the compact, and solely authorized to judge in the last resort of the powers exercised under it, Congress being not a party, but merely the creature of the compact, and subject as to its assumptions of power to the final judgment of those by whom, and for whose use itself and its powers were all created and modified: that if the acts before specified should stand, these conclusions would flow from them; that the general government may place any act they think proper on the list of crimes, and punish it themselves whether enumerated or not enumerated by the constitution as cognizable by them: that they may transfer its cognizance to the President, or any other person, who may himself be the accuser, counsel, judge and jury, whose *suspicions* may be the evidence, his *order* the sentence, his *officer* the executioner, and his breast the sole record of the transaction: that a very numerous and valuable description of the inhabitants of these States being, by this precedent, reduced, as outlaws, to the absolute dominion of one man, and the barrier of the Constitution thus swept away

Digitized by Google

of a majority in Congress, to protect from a like exportation or other more grievous punishment, the minority of the same body, the legislatures, judges, & governors, & counsellors of the states nor their other peaceable inhabitants who may venture to reclaim the constitutional rights and liberties of the states and the people, or who for other causes good or bad, may be obnoxious to the views, or marked by the suspicions of the President, or be thought dangerous to his or their elections or other interests public or personal: that the friendless alien has indeed been selected as the safest subject of a first experiment: but the citizen will soon follow, or rather has already followed; for already has a Sedition act marked him as it's prey: that these and successive acts of the same character unless arrested at the threshold necessarily drive these states into revolution and blood and will furnish new calumnies against republican government and new pretexts for those who wish it to be believed that man cannot be governed but by a rod of iron that it would be a dangerous delusion were a confidence in the men of our choice to silence our fears for the safety

from us all, no rampart now remains against the passions and the powers of a majority in Congress to protect from a like exportation, or other more grievous punishment the minority of the same body, the legislatures, judges, governors and counsellors of the States, nor their other peaceable inhabitants, who may venture to reclaim the constitutional rights and liberties of the States and people, or who for other causes, good or bad, may be obnoxious to the views, or marked by the suspicions of the President, or be thought dangerous to his or their election, or other interests public or personal: that the friendless alien has indeed been selected as the safest subject of a first experiment; but the citizen will soon follow, or rather, has already followed, for already has a sedition act marked him as its prey: that these and successive acts of the same character, unless arrested at the threshold, necessarily drive these States into revolution and blood, and will furnish new calumnies against republican government, and new pretexts for those who wish it to be believed that man cannot be governed but by a rod of iron: that it would be a dangerous

Digitized by Google

of our rights: that confidence is every where the parent of despotism, free government is founded in jealousy and not in confidence, it is jealousy and not confidence which prescribes limited constitutions, to bind down those whom we are obliged to trust with power that our constitution has accordingly so fixed the limits to which and no further our confidence may go: and let the honest advocate of confidence read the Alien and Sedition Acts, and say if the constitution has not been wise in fixing limits to the government it created and whether we should be wise in destroying those limits? Let him say what the government is, if it be not a tyranny which the men of our choice have conferred on the President and the President of our choice has assented to and accepted over the friendly strangers to whom the mild spirit of our country & it's laws had pledged hospitality & protection: that the men of our choice have more respected the bare suspicions of the President than the solid rights of innocence, the claims of justification, the sacred force of truth and the forms and substance of law & justice: in questions of power

delusion were a confidence in the men of our choice to silence our fears for the safety of our rights: that confidence is everywhere the parent of despotism — free government is founded in jealousy, and not in confidence; it is jealousy and not confidence which prescribes limited constitutions, to bind down those whom we are obliged to trust with power: that our Constitution has accordingly fixed the limits to which, and no further, our confidence may go; and let the honest advocate of confidence read the Alien and Sedition acts, and say if the Constitution has not been wise in fixing limits to the government it created, and whether we should be wise in destroying those limits. Let him say what the government is, if it be not a tyranny, which the men of our choice have conferred on our President, and the President of our choice has assented to, and accepted over the friendly strangers to whom the mild spirit of our country and its laws have pledged hospitality and protection: that the men of our choice have more respected the bare *suspicions* of the President, than the solid right of innocence, the claims

Digitized by Google

then, let no more be heard of confidence in man, but bind him down from mischief by the chains of the constitution. That this commonwealth does therefore call on it's co-states for an expression of their sentiments on the acts concerning aliens and for the punishment of certain crimes, herein before specified, plainly declaring whether these acts are, or are not, authorised by the federal compact? And it doubts not that their sense will be so enounced as to prove their attachment unaltered to limited government whether general or particular; & that the rights & liberties of their co-states will be exposed to no dangers by remaining embarked in a common bottom with their own: But ~~that however confident at~~ other times this commonwealth would have been in the deliberate judgment of the co-states and that but one opinion would be entertained on the unjustiable character of the acts herein specified, yet it cannot be insensible that circumstances do exist, & that passions are at this time afloat which may give a bias to the judgment to be pronounced on this subject, that times of passion are peculiarly those when pre-

of justification, the sacred force of truth and the forms and substance of law and justice. In questions of power, then, let no more be heard of confidence in man, but bind him down from mischief by the chains of the Constitution. That this commonwealth does therefore call on its co-States for an expression of their sentiments on the acts concerning aliens, and for the punishment of certain crimes herein before specified, plainly declaring whether these acts are or are not authorized by the federal compact. And it doubts not that their sense will be so announced as to prove their attachment unaltered to limited government, whether general or particular. And that the rights and liberties of their co-States will be exposed to no dangers by remaining embarked in a common bottom with their own. That they will concur with this commonwealth in considering the said acts as so palpably against the Constitution as to amount to an undisguised declaration that that compact is not meant to be the measure of the powers of the General Government, but that it will proceed in the exercise over these States, of all powers what-

Digitized by Google

cedents of wrong are yielded to with the last caution, when encroachments of powers are most usually made & principles are least watched. That whether the coincidence of the occasion & the encroachment in the present case has been from accident or design, the right of the commonwealth to the government of itself in cases not [illegible] parted with, is too vitally important to be yielded from temporary or secondary considerations: that a fixed determination therefore to retain it, requires us in candor and without reserve to declare & to warn our co-states that considering the said acts to be so palpably against the constitution as to amount to an undisguised declaration that that compact is not meant to be the measure of the powers of the general government, but that it is to proceed in the exercise over these states of any & all powers whatever, considering this as seizing the rights of the states & consolidating them in the hands of the general government, with power to bind the states (not merely in the cases made federal casus federis but) in all cases whatsoever by laws not made with their consent, but by other states against their consent; considering all the soever: that they will view this as seizing the rights of the States, and consolidating them in the hands of the General Government, with a power assumed to bind the States, (not merely in the cases made federal, (casus fœderis,) but) in all cases whatsoever, by laws made, not with their consent, but by others against their consent; that this would be to surrender the form of government we have chosen, and live under one deriving its powers from its own will, and not from our authority; and that the co-States, recurring to their natural right in cases not made federal, will concur in declaring these acts void, and of no force, and will each take measures of its own for providing that neither these acts, nor any others of the General Government not plainly and intentionally authorized by the Constitution, shall be exercised within their respective territories.

Digitized by Google

consequences as nothing in comparison with that of yielding the form of government we have chosen & of living under one [*struck out*] deriving it's powers by from it's own will and not from our authority, this commonwealth, as an integral party, does in that case protest against such opinions and exercises of undelegated & unauthorised power, and does declare that recurring to it's natural right of judging & acting for itself, it will be constrained to take care of itself, & to provide by measures of it's own that no power not plainly & intentionally delegated by the constitution to the general government, shall be exercised within the territory of this ~~commmonwealth~~. that they will concur with this comm. in considering the said acts so palpably against the const. as to amount to an undisguised declarn. that that compact is not meant to be the measure of the powers of the genl. govmt, but that it will proceed in the exercise over these states of all powers whatsoever, that they will view this as seizing the right of the states & consolidating them in the hands of the genl govt with power assumed to bind the states (not

Digitized by Google

merely in the cases made federal) but in all cases whatsoever, by laws made not with their consent but by others against their consent, that this would be to surrender the form of govmt we have chosen & to live under one deriving it's powers from it's own will and not from our authority that the co-states recurring to their natural right in cases not made federal will concur in declaring these acts void and of no force & will each take measures of it's own providing that neither these acts nor any others of the government not plainly & intentionally authorized by the country to the genl govmt shall be exercised within their respective territories.

9. That the said committee be authorised to communicate by writing or personal conference, at any times or place whatever, with any person or persons who may be appointed by any one or more of the co-states to correspond or confer with them: & that they lay their proceedings before the next session of assembly: that the members of the said committee, while acting within the state, have the same allowance as the members of the General assembly, and while acting without the common-

9th. *Resolved*, That the said committee be authorized to communicate by writing or personal conferences, at any times or places whatever, with any person or persons who may be appointed by any one or more co-States to correspond or confer with them; and that they lay their proceedings before the next session of Assembly.

Digitized by Google

wealth, the same as members of Congress : and that the Treasurer be authorized, on warrants from the Governor, to advance them monies on account for the said services.

TO JOHN TAYLOR.

J. MSS.

November 26, 98.

DEAR SIR,—We formerly had a debtor & creditor account of letters on farming; but the high price of tobo, which is likely to continue for some short time, has tempted me to go entirely into that culture, and in the meantime, my farming schemes are in abeyance, and my farming fields at nurse against the time of my resuming them. But I owe you a political letter. Yet the infidelities of the post office and the circumstances of the times are against my writing fully & freely, whilst my own dispositions are as much against mysteries, innuendos & half-confidences. I know not which mortifies me most, that I should fear to write what I think, or my country bear such a state of things. Yet Lyon's judges, and a jury of all nations, are objects of rational fear. We agree in all the essential ideas of your letter. We agree particularly in the necessity of some reform, and of some better security for civil liberty. But perhaps we do not see the existing circumstances in the same point of view. There are many consideration dehors of the State, which will occur to you without enumeration. I should not apprehend them, if all was sound within. But there is a most respect-

Digitized by Google

able part of our State who have been enveloped in the X. Y. Z. delusion, and who destroy our unanimity for the present moment. This disease of the imagination will pass over, because the patients are essentially republican. Indeed, the Doctor is now on his way to cure it, in the guise of a tax gatherer. But give time for the medicine to work, & for the repetition of stronger doses, which must be administered. The principle of the present majority is *excessive expense*, money enough to fill all their maws, or it will not be worth the risk of thèir supporting. They cannot borrow a dollar in Europe, or above 2. or 3. millions in America. This is not the fourth of the expences of this year, unprovided for. Paper money would be perillous even to the paper men. Nothing then but excessive taxation can get us along; and this will carry reason & reflection to every man's door, and particularly in the hour of election. I wish it were possible to obtain a single amendment to our constitution. I would be willing to depend on that alone for the reduction of the administration of our government to the genuine principles of it's constitution; I mean an additional article, taking from the federal government the power of borrowing. I now deny their power of making paper money or anything else a legal tender. I know that to pay all proper expences within the year, would, in case of war, be hard on us. But not so hard as ten wars instead of one. For wars would be reduced in that proportion; besides that the State governments would be free to lend *their credit* in borrowing quo-

Digitized by Google

tas. For the present, I should be for resolving the alien & sedition laws to be against the constitution & merely void, and for addressing the other States to obtain similar declarations; and I would not do anything at this moment which should commit us further, but reserve ourselves to shape our future measures or no measures, by the events which may happen. It is a singular phenomenon, that while our State governments are the very *best in the world*, without exception or comparison, our general government has, in the rapid course of 9. or 10. years, become more arbitrary, and has swallowed more of the public liberty than even that of England. I enclose you a column, cut out of a London paper, to show you that the English, though charmed with our making their enemies our enemies, yet blush and weep over our sedition law. But I enclose you something more important. It is a petition for a reformation in the manner of appointing our juries, and a remedy against the *jury of all nations*, which is handing about here for signature, and will be presented to your house. I know it will require but little ingenuity to make objections to the details of its execution; but do not be discouraged by small difficulties; make it as perfect as you can at a first essay, and depend on amending its defects as they develop themselves in practice. I hope it will meet with your approbation & patronage. It is the only thing which can yield us a little present protection against the dominion of a faction, while circumstances are maturing for bringing & keeping the government in real unison with

Digitized by Google

the spirit of their constituents. I am aware that the act of Congress has directed that juries shall be appointed by lot or otherwise, as the laws *now* (at the date of the act) in force in the several States provide. The New England States have always had them elected by their select men, who are elected by the people. Several or most of the other States have a large number appointed (I do not know how) to attend, out of whom 12. for each cause are taken by lot. This provision of Congress will render it necessary for our Senators or Delegates to apply for an amendatory law, accommodated to that prayed for in the petition. In the meantime, I would pass the law as if the amendatory one existed, in reliance, that our select jurors attending, the federal judge will, under a sense of right, direct the juries to be taken from among them. If he does not, or if Congress refuses to pass the amendatory law, it will serve as eyewater for their constituents. Health, happiness, *safety* & esteem to yourself and my ever-honored & antient friend, mr. Pendleton. Adieu.

TO WILSON CARY NICHOLAS. J. MSS.

Nov. 29. 98.

The more I have reflected on the phrase in the paper you shewed me, the more strongly I think it should be altered. Suppose you were instead of the invitation to cooperate in the annulment of the acts, to make it an invitation 'to concur with this commonwealth in declaring, as it does hereby declare,

Digitized by Google

that the said acts are, and were ab initio, null, void and of no force, or effect.' I should like it better. Health, happiness and Adieu.

TO JAMES MADISON. MAD. MSS.

PHILADELPHIA. Jan. 3, 99.

I have suffered the post hour to come so nearly on me, that I must huddle over what I have more than appears in the public papers. I arrived here on Christmas day, not a single bill or other article of business having yet been brought into Senate. The P's speech, so unlike himself in point of moderation, is supposed to have been written by the military conclave, & particularly Hamilton. When the Senate gratuitously hint Logan to him, you see him in his reply come out in his genuine colors. The debates on that subject & Logan's declaration you will see in the papers. The republican spirit is supposed to be gaining ground in this State & Massachusetts. The tax gatherer has already excited discontent. Gerry's correspondence with Taleyrand, promised by the Presidt at the opening of the session, is still kept back. It is known to shew France in a very conciliatory attitude, and to contradict some executive assertions. Therefore, it is supposed they will get their war measures well taken before they will produce this damper. Vans Murray writes them, that the French government is sincere in their overtures for reconciliation, & have agreed, if these fail, to admit the mediation offered by the Dutch govnt. In the mean

Digitized by Google

time the raising the army is to go on, & it is said they propose to build twelve 74's. Insurance is now higher in all the commercial towns against British than French capture. The impressment of seamen from one of our armed vessels by a British man of war has occasioned mr. Pickering to bristle up it is said. But this cannot proceed to any effect. The capture by the French of the Retaliation (an armed vessel we had taken from them) will probably be played off to the best advantage. Lyon is re-elected. His majority is great. Reports vary fron 600. to 900. Logan was elected into the Pensylva. legislature against F. A. Muhlenburg by 1256 to 769. Livermore has been re-elected in N. Hampshire by a majority of 1. in the lower & 2. in the upper house.

Genl Knox has become bankrupt for 400,000 D, & has resigned his military commission. He took in Genl Lincoln for 150,000 D, which breaks him. Colo Jackson also sunk with him. It seems generally admitted, that several cases of the yellow fever still exist in the city, and the apprehension is, that it will re-appear early in the spring. You promised me a copy of McGee's bill of prices. Be so good as to send it on to me here. Tell mrs. Madison her friend Made d'Yrujo, is as well as one can be so near to a formidable crisis. Present my friendly respects to her, and accept yourself my sincere & affectionate salutations. Adieu.

I omitted to mention that a petition has been presented to the President, signed by several thousand

Digitized by Google

persons in Vermont, praying a remitment of Lyon's fine. He asked the bearer of the petition if Lyon himself had petitioned, and being answered in the negative, said, 'penitence must precede pardon.'

TO JAMES MONROE. MON. MSS.

PHILADELPHIA Jan. 3. 99.

DEAR SIR,—Dr. Bache having determined to remove to our neighborhood, informs me he has written to you to purchase lands for him. A day or two before I left home mrs. Key sent me a message that the lands on which she lives & her son Walter's were for sale. I therefore inclose you a letter to her, informg. her that I have communicated it to the gentleman here whom I had under contemplation when I spoke to her & that he has authorized me to act for him. The object of this is to prevent her supposing that your application will be in competition with mine. You know that Carter's land adjoining Moore's Creek is for sale. As it is not probable any body will sell & deliver instant possession, so as to enable Dr. Bache at once to seat himself on his own farm, I imagine the first object will be the procuring a house for him. The one in Charlotteville which Chiles is building is the only one which has occurred to me: & as Dr. Bache proposes moving next month, it may be well to leave the ultimate purchase of a farm to be fixed on by himself. If you could get Carter, Catlett & Key to fix each their lowest terms, they might offer in Competition against

Digitized by Google

one another. I wish you could also provide for Baynham. Genl. Knox is broke for 400.000 D. and has resigned his military commission. He has broke also Genl. Lincoln and his friend Colo. Jackson. What has passed on the subject of Logan you see in the newspapers. The county of Philadelphia has chosen him their representative in assembly by 1256. against 769. in favor of Muhlenburg. Lyon is rechosen in Vermont by a vast majority. It seems agreed that the republican sentiment is gaining ground fast in this state & in Massachusetts. My respects to mrs. Monroe. Adieu.

TO JAMES MADISON. MAD. MSS.

PHILADELPHIA, Jan. 16, 99.

The forgery lately attempted to be plaid off by mr. H. on the house of representatives, of a pretended memorial presented by Logan to the French government, has been so palpably exposed, as to have thrown ridicule on the whole of the clamors they endeavored to raise as to that transaction. Still, however, their majority will pass the bill. The real views in the importance they have given to Logan's enterprise are mistaken by nobody. Mr. Gerry's communications relative to his transactions after the departure of his colleagues, tho' he has now been returned 5. months, & they have been promised to the house 6. or 7. weeks, are still kept back. In the meantime, the paper of this morning promises them from the Paris papers. It is said, they leave not a possibility to doubt the sincerity & the anxiety of the

Digitized by Google

French government to avoid the spectacle of a war with us. Notwithstanding this is well understood, the army & a great addition to our navy, are steadily intended. A loan of 5. millions is opened at 8. per cent. interest! In a rough way we may state future expences thus annually. Navy 5½ millions (exclusive of it's outfit) army (14,000 men) 6½ millions, interest of national debt (I believe) about 4. millions, interest of the new loan 400,000. Which with the expences of government will make an aggregate of about 18,000,000. All our taxes this year have brought in about 10½ millions, to which the direct tax will add 2. millions, leaving a deficit of between 5 & 6. millions. Still no addition to the taxes will be ventured on at this session. It is pretty evident from the proceedings to get at the measure & number of windows in our houses that a tax on air & light is meditated, but I suppose not till the next session. The bankrupt bill was yesterday rejected by a majority of three. The determinations of the British commissioners under the treaty (who are 3. against 2. of ours) are so extravagant, that about 3. days ago ours protested & seceded. It was said yesterday they had come together again. The demands which will be allowed on the principles of the British majority will amount to from 15. to 20. millions of Dollars. It is not believed that our government will submit to it, & consequently that this must again become a subject for negociation, It is very evident the British are using that part of the treaty merely as a political engine. Notwithstanding the pretensions of the papers of the danger & destruction of Buonaparte, nothing of

Digitized by Google

that is believed. It seems probable that he will establish himself in Egypt, & that that is, at present at least, his ultimate object. Ireland also is considered as more organized in her insurrection and stronger than she has been hitherto. As yet no tobacco has come to this market. At New York the new tobo is at 13. D. Georgia has sent on a greater quantity than had been imagined, & so improved in quality as to take the place of that of Maryland & the Carolines. It is at 11. D. while they are about 10. Immense sums of money now go to Virginia. Every stage is loaded. This is partly to pay for last year's purchases, & partly for the new.

In a society of members, between whom & yourself is great mutual esteem & respect, a most anxious desire is expressed that you would publish your debates of the Convention. That these measures of the army, navy & direct tax will bring about a revulsion of public sentiment is thought certain, & that the constitution will then receive a different explanation. Could those debates be ready to appear critically, their effect would be decisive. I beg of you to turn this subject in your mind. The arguments against it will be personal; those in favor of it moral; and something is required from you as a set off against the sin of your retirement. Your favor of Dec 29 came to hand Jan 5; seal sound. I pray you always to examine the seals of mine to you, & the strength of the impression. The suspicions against the government on this subject are strong. I wrote you Jan 5. Accept for yourself & mrs. Madison my affectionate salutations. & Adieu.

Digitized by Google

TO JAMES MONROE. J. MSS.

Jan 23, 99.

DEAR SIR,—The newspapers furnish you with the articles of common news as well as the Congressional. You observe the addition proposed to be made to our navy, and the loan of 5. millions, opened at 8. percent., to equip it. The papers say that our agents abroad are purchasing vessels for this purpose. The following is as accurate a statement of our income & expence *annual*, as I can form, after divesting the treasury reports of such articles as are incidental & properly *annual*:

	D.	C.		
1798—Imposts	7,405,420	86.		
Excise, Auctions, Licences, Carriages	585,879	67.		
Postage	57,000			
Patents	1,050			
Coinage	10,242			
dividends of bank stock	79,920			
fines	8			
	8,139,520	53.		
1799—Direct Tax, Stamp Tax, } Clear of expense..	2,000,000			
	10,139,520	53		
Int & reimbursmt of domestic debt	2,987,145	48		
Int on domestic loans	238,637	50		
Dutch debt	586,829	58	3,812,612	56
Civil list			524,206	83
loan offices			13,000	
Mint			13,300	
light-houses			44,281	08
annuities and Grants			1,603	33
military Pensions			93,400	
miscellaneous expences			19,000	
Contingent expences of Govnt			20,000	
amt of civil government properly	728,791	24		
Indians			110,000	
Foreign intercourse	93,000			
Treaties with Gr Br, Spain & Meditern	187,500		280,500	
annual expense of existing navy	2,434,261	10		
Do. of Army (5,038 offic & priv)	1,461,175			
Do. of Officers of additl Army (actually commed) }	217,375		4,112,811	10
			9,044,714	90

Digitized by Google

Do.	of	privates of do. (about 9000)	2,523,455	
Do.	of	additional Navy (exclus. outfit)	2,949,278 96	5,472,733 96
8 pr ct. int on 5. millions new loan				400,000
				14,917,448 86

By this you will perceive that our income for 1799, being 10. millions, and expences 9. millions, we have a surplus of 1. million, which, with the 5. millions to be borrowed, it is expected, will build the navy & raise the army. When they are complete, we shall have to raise by new taxes about 5. millions more, making in the whole 15. millions, which if our population be 5. millions, will be 3. dollars a head. But these additional taxes will not be wanting, till the session after next. The majority in Congress being as in the last session matters will go on now as then. I shall send you Gerry's correspondence and Pickering's report on it, by which you will perceive the unwillingness of France to break with us, and our determination not to believe it, & therefore to go to war with them. For in this light must be viewed our surrounding their islands with our armed vessels instead of their cruising on our coasts as the law directs.

According to information, there is real reason to believe that the X. Y. Z. delusion is wearing off, and the public mind beginning to take the same direction it was getting into before that maneuvre. Gerry's dispatches will tend strongly to open the eyes of the people. Besides this several other impressive circumstances will all be bearing on the public mind. The alien & sedition laws as before, the direct tax, the additional army & navy, an usurious loan to set

Digitized by Google

those follies on foot, a prospect of heavy additional taxes as soon as they are completed, still heavier taxes if the government forces on the war, recruiting officers lounging at every court-house and decoying the laborer from his plough. A clause in a bill now under debate for opening commerce with Toussaint & his black subjects now in open rebellion against France, will be a circumstance of high aggravation to that country, and in addition to our cruising round their islands will put their patience to a great proof. One fortunate circumstance is that, annihilated as they are on the ocean, they cannot get at us for some time, and this will give room for the popular sentiment to correct the imprudence. Nothing is believed of the stories about Buonaparte. Those about Ireland have a more serious aspect. I delivered the letter from you of which I was the bearer. No use was made of the paper, because that poor creature had already fallen too low even for contempt. It seems that the representative of our district is attached to his seat. Mr. Beckley tells me you have the collection of a sum of money for him, which is destined for me. What is the prospect of getting it, & how much? I do not know whether I have before informed you that mr. Madison paid to mr. Barnes 240. or 250. D in your name to be placed to your credit with mr. Short, I consequently squared that account, & debited you to myself for the balance. This with another article or two of account between us, stands therefore against the books for which I am indebted to you, & of which I know not the cost. A

Digitized by Google

very important measure is under contemplation here, which, if adopted, will require a considerable sum of money *on loan*. The thing being beyond the abilities of those present, they will possibly be obliged to assess their friends also. I may perhaps be forced to score you for 50. or 100. D, to be paid at convenience, but as yet it is only talked of. I shall rest my justification on the importance of the measure, and the sentiments I know you to entertain on such subjects. We consider the elections on the whole as rather in our favor, & particularly believe those of N Caroline will immediately come right. J. Nicholas & Brent, both offer again. My friendly respects to mrs. Monroe, & to yourself affectionate salutations & adieu.

P. S. I shall seldom write to you, on account of the strong suspicions of infidelity in the post offices. Always examine the seal before you open my letters, & note whether the impression is distinct.

TO JOHN TAYLOR. J. MSS.

PHILADELPHIA Jan. 24. 99.

DEAR SIR,—Mr. Tazewell died about noon this day after an illness of about 36. hours. On this event, so melancholy for his family and friends, the loss to the public of so faithful and able a servant no reflections can be adequate.

The object of this letter (and which I beseech you to mention as from me to no mortal) is the replacement of him *by the legislature*. Many points in Monro's character would render him the most valu-

Digitized by Google

able acquisition the republican interest in this legislature could make. There is no chance of bringing him into the other house as some had wished, because the present representative of his district will not retire. I salute you affectionately.

TO JOHN PAGE. J. MSS,

PHILADELPHIA Jan. 24. 99.

MY DEAR FRIEND, — I enclose you a copy of Gerry's correspondence after his companions left him, and of Mr. Pickering's commentary on it. You will see reason to suspect (especially after what the papers say of a British alliance) that the Executive has taken some step on the presumption that France would declare war. To support which it is necessary to have it believed she will still make war. Yesterday they voted in the H. of R. by a majority of 20. to retain a clause in a bill opening commerce with Toussaint, now in rebellion against France. This circumstance with the stationing our armed vessels round the French islands will probably be more than the Directory will bear. In the meantime you observe that the raising the additional army, and building a great additional navy are steadily proposed; and as these will require a great immediate supply of money, a loan of 5. millions is opened at the usurious interest of 8. per cent for fear that an immediate addition of that to our taxes should blow up the whole object. The following is a statement (in round numbers) of our *annual* income & expen-

Digitized by Google

diture divested of those articles of the Treasury report which are accidentals.

1798	Income		
	Impost	7⅛ millions	
	Excises, carriages &c	⅛ of a million	
		8⅛	
1799	Stamp & direct tax clear	2	
		10⅛	
	Expenses		
	Civil list		⅛ million
	foreign intercourse		⅛
	int. on public debt		4.
	existing navy	2⅛	
	existing army (5,000)	1⅛	4.
			9⅛
	addnl army (9,000)	2⅛	
	addnl navy (exclus. outfit)	3	
	int. of new loan	4/10	5 9/10
			15⅛

It is said however that the deficit of 5. millions, need not be added to our annual taxes for a year or two. These subjects compared with Gerry's explicit assurance that France is sincere in wishing to avoid war with us, that she does not desire a breach of the British treaty but only to be put on an equal foot, and that a *liberal* treaty might have been had, I leave to your own reflections. I am told that if you will exert yourself you may be elected to the next Congress. Pray my dear Sir, leave nothing undone to effect it. We gain on the whole by the new elections, & if those of Virginia are uniform we shall have a majority. Two years more of such measures as we have had lately will ruin us beyond recovery.

Digitized by Google

Never did so important a public duty rest on you before. For even a single vote will decide the majority. It is truly a case of moral duty, and I know your conscience will not be insensible to it, if you will indulge its suggestions. I write my friends seldom because of the suspected infidelity of the post office. Present me respectfully to mrs. Page & accept assurances of great and unaltered affection from dear Sir Yours sincerely.

TO ELBRIDGE GERRY. J. MSS.

PHILADELPHIA, Jan 26, 1799.

MY DEAR SIR,—Your favor of Nov. 12 was safely delivered to me by mr. Binney, but not till Dec. 28, as I arrived here only three days before that date. It was received with great satisfaction. Our very long intimacy as fellow-laborers in the same cause, the recent expressions of mutual confidence which had preceded your mission, the interesting course which that had taken, & particularly & personally as it regarded yourself, made me anxious to hear from you on your return. I was the more so too, as I had myself during the whole of your absence, as well as since your return, been a constant butt for every shaft of calumny which malice & falsehood could form, & the presses, public speakers, or private letters disseminate. One of these, too, was of a nature to touch yourself; as if, wanting confidence in your efforts, I had been capable of usurping powers committed to

Digitized by Google

you, & authorizing negociations private & collateral to yours. The real truth is, that though Dr Logan, the pretended missionary, about 4. or 5. days before he sailed for Hamburgh, told me he was going there, & thence to Paris, & asked & received from me a certificate of his citizenship, character, & circumstances of life, merely as a protection, should he be molested on his journey, in the present turbulent & suspicious state of Europe, yet I had been led to consider his object as relative to his private affairs; and tho', from an intimacy of some standing, he knew well my wishes for peace and my political sentiments in general, he nevertheless received then no particular declaration of them, no authority to communicate them to any mortal, nor to speak to any one in my name, or in anybody's name, on that, or on any other subject whatever; nor did I write by him a scrip of a pen to any person whatever. This he has himself honestly & publicly declared since his return; & from his well-known character & every other circumstance, every candid man must perceive that his enterprise was dictated by his own enthusiasm, without consultation or communication with any one; that he acted in Paris on his own ground, & made his own way. Yet to give some color to his proceedings, which might implicate the republicans in general, & myself particularly, they have not been ashamed to bring forward a suppositious paper, drawn by one of their own party in the name of Logan, and falsely pretended to have been presented by him to the government of France; counting that the bare mention

Digitized by Google

of my name therein, would connect that in the eye of the public with this transaction. In confutation of these and all future calumnies, by way of anticipation, I shall make to you a profession of my political faith; in confidence that you will consider every future imputation on me of a contrary complexion, as bearing on its front the mark of falsehood & calumny.

I do then, with sincere zeal, wish an inviolable preservation of our present federal constitution, according to the true sense in which it was adopted by the States, that in which it was advocated by it's friends, & not that which it's enemies apprehended, who therefore became it's enemies; and I am opposed to the monarchising it's features by the forms of it's administration, with a view to conciliate a first transition to a President & Senate for life, & from that to a hereditary tenure of these offices, & thus to worm out the elective principle. I am for preserving to the States the powers not yielded by them to the Union, & to the legislature of the Union it's constitutional share in the division of powers; and I am not for transferring all the powers of the States to the general government, & all those of that government to the Executive branch. I am for a government rigorously frugal & simple, applying all the possible savings of the public revenue to the discharge of the national debt; and not for a multiplication of officers & salaries merely to make partisans, & for increasing, by every device, the public debt, on the principle of it's being a public blessing. I

Digitized by Google

am for relying, for internal defence, on our militia solely, till actual invasion, and for such a naval force only as may protect our coasts and harbors from such depredations as we have experienced; and not for a standing army in time of peace, which may overawe the public sentiment; nor for a navy, which, by it's own expenses and the eternal wars in which it will implicate us, will grind us with public burthens, & sink us under them. I am for free commerce with all nations; political connection with none; & little or no diplomatic establishment. And I am not for linking ourselves by new treaties with the quarrels of Europe; entering that field of slaughter to preserve their balance, or joining in the confederacy of kings to war against the principles of liberty. I am for freedom of religion, & against all maneuvres to bring about a legal ascendancy of one sect over another: for freedom of the press, & against all violations of the constitution to silence by force & not by reason the complaints or criticisms, just or unjust, of our citizens against the conduct of their agents. And I am for encouraging the progress of science in all it's branches; and not for raising a hue and cry against the sacred name of philosophy; for awing the human mind by stories of raw-head & bloody bones to a distrust of its own vision, & to repose implicitly on that of others; to go backwards instead of forwards to look for improvement; to believe that government, religion, morality, & every other science were in the highest perfection in ages of the darkest ignorance, and that nothing can ever be devised more perfect

Digitized by Google

than what was established by our forefathers. To these I will add, that I was a sincere well-wisher to the success of the French revolution, and still wish it may end in the establishment of a free & well-ordered republic; but I have not been insensible under the atrocious depredations they have committed on our commerce. The first object of my heart is my own country. In that is embarked my family, my fortune, & my own existence. I have not one farthing of interest, nor one fibre of attachment out of it, nor a single motive of preference of any one nation to another, but in proportion as they are more or less friendly to us. But though deeply feeling the injuries of France, I did not think war the surest means of redressing them. I did believe, that a mission sincerely disposed to preserve peace, would obtain for us a peaceable & honorable settlement & retribution; and I appeal to you to say, whether this might not have been obtained, if either of your colleagues had been of the same sentiment with yourself.

These, my friend, are my principles; they are unquestionably the principles of the great body of our fellow citizens, and I know there is not one of them which is not yours also. In truth, we never differed but on one ground, the funding system; and as, from the moment of it's being adopted by the constituted authorities, I became religiously principled in the sacred discharge of it to the uttermost farthing, we are united now even on that single ground of difference.

Digitized by Google

I turn now to your inquiries. The enclosed paper[1] will answer one of them. But you also ask for such political information as may be possessed by me, & interesting to yourself in regard to your embassy. As a proof of my entire confidence in you, I shall give it fully & candidly. When Pinckney, Marshall, and Dana, were nominated to settle our differences with France, it was suspected by many, from what was understood of their dispositions, that their mission would not result in a settlement of differences, but would produce circumstances tending to widen the breach, and to provoke our citizens to consent to a war with that nation, & union with England. Dana's resignation & your appointment gave the

[1] The paper was as follows:

"Yeas	Nays	
Langdon		
Livermore		N. H.
	Goodhue	
	Sedgwick	Mas
Bradford		
Foster		R. I.
Hillhouse	Tracy	Con.
Paine		
Tichenor		Verm.
Laurence		N. Y.
Rutherford		N. J.
Bingham	Ross	Pens.
Latimer		Del.
Howard		Mar.
Tazewell		
Mason		Va.
Bloodworth		
Martin		N. C.
Hunter	Reade	S. C.
Tatnell		G.
Blount		
Cocke		Ten.
Brown	Marshall	Kentuck."

Digitized by Google

first gleam of hope of a peaceable issue to the mission. For it was believed that you were sincerely disposed to accommodation; & it was not long after your arrival there, before symptoms were observed of that difference of views which had been suspected to exist. In the meantime, however, the aspect of our government towards the French republic had become so ardent, that the people of America generally took the alarm. To the southward, their apprehensions were early excited. In the Eastern States also, they at length began to break out. Meetings were held in many of your towns, & addresses to the government agreed on in opposition to war. The example was spreading like a wildfire. Other meetings were called in other places, & a general concurrence of sentiment against the apparent inclinations of the government was imminent; when, most critically for the government, the despatches of Octr 22, prepared by your colleague Marshall, with a view to their being made public, dropped into their laps. It was truly a God-send to them, & they made the most of it. Many thousands of copies were printed & dispersed gratis, at the public expence; & the zealots for war co-operated so heartily, that there were instances of single individuals who printed & dispersed 10. or 12,000 copies at their own expence. The odiousness of the corruption supposed in those papers excited a general & high indignation among the people. Unexperienced in such maneuvres, they did not permit themselves even to suspect that the turpitude of private swindlers might mingle itself unobserved, &

Digitized by Google

give it's own hue to the communications of the French government, of whose participation there was neither proof nor probability. It served, however, for a time, the purpose intended. The people, in many places, gave a loose to the expressions of their warm indignation, & of their honest preference of war to dishonor. The fever was long & successfully kept up, and in the meantime, war measures as ardently crowded. Still, however, as it was known that your colleagues were coming away, and yourself to stay, though disclaiming a separate power to conclude a treaty, it was hoped by the lovers of peace, that a project of treaty would have been prepared, ad referendum, on principles which would have satisfied our citizens, & overawed any bias of the government towards a different policy. But the expedition of the Sophia, and, as was supposed, the suggestions of the person charged with your despatches, & his probable misrepresentations of the real wishes of the American people, prevented these hopes. They had then only to look forward to your return for such information, either through the Executive, or from yourself, as might present to our view the other side of the medal. The despatches of Oct 22, 97, had presented one face. That information, to a certain degree, is now received, & the public will see from your correspondence with Taleyrand, that France, as you testify, "was sincere and anxious to obtain a reconciliation, not wishing us to break the British treaty, but only to give her equivalent stipulations; and in general was disposed to a liberal treaty." And they

Digitized by Google

will judge whether mr. Pickering's report shews an inflexible determination to believe no declarations the French government can make, nor any opinion which you, judging on the spot & from actual view, can give of their sincerity, and to meet their designs of peace with operations of war. The alien & sedition acts have already operated in the South as powerful sedatives of the X. Y. Z. inflammation. In your quarter, where violations of principle are either less regarded or more concealed, the direct tax is likely to have the same effect, & to excite inquiries into the object of the enormous expences & taxes we are bringing on. And your information supervening, that we might have a liberal accommodation if we would, there can be little doubt of the reproduction of that general movement, by the despatches of Oct. 22. And tho' small checks & stops, like Logan's pretended embassy, may be thrown in the way from time to time, & may a little retard it's motion, yet the tide is already turned, and will sweep before it all the feeble obstacles of art. The unquestionable republicanism of the American mind will break through the mist under which it has been clouded, and will oblige it's agents to reform the principles & practices of their administration.

You suppose that you have been abused by both parties. As far as has come to my knowledge, you are misinformed. I have never seen or heard a sentence of blame uttered against you by the republicans; unless we were so to construe their wishes that you had more boldly co-operated in a project of a treaty,

Digitized by Google

and would more explicitly state, whether there was in your colleages that flexibility, which persons earnest after peace would have practised? Whether, on the contrary, their demeanor was not cold, reserved, and distant, at least, if not backward? And whether, if they had yielded to those informal conferences which Taleyrand seems to have courted, the liberal accommodation you suppose might not have been effected, even with their agency? Your fellow-citizens think they have a right to full information, in a case of such great concern to them. It is their sweat which is to earn all the expences of the war, and their blood which is to flow in expiation of the causes of it. It may be in your power to save them from these miseries by full communications and unrestrained details, postponing motives of delicacy to those of duty. It rests for you to come forward independently; to take your stand on the high ground of your own character; to disregard calumny, and to be borne above it on the shoulders of your grateful fellow citizens; or to sink into the humble oblivion, to which the Federalists (self-called) have secretly condemned you; and even to be happy if they will indulge you with oblivion, while they have beamed on your colleagues meridian splendor. Pardon me, my dear Sir, if my expressions are strong. My feelings are so much more so, that it is with difficulty I reduce them even to the tone I use. If you doubt the dispositions towards you, look into the papers, on both sides, for the toasts which were given throughout the States on the 4th of July. You will there see whose hearts

Digitized by Google

were with you, and whose were ulcerated against you. Indeed, as soon as it was known that you had consented to stay in Paris, there was no measure observed in the execrations of the war party. They openly wished you might be guillotined, or sent to Cayenne, or anything else. And these expressions were finally stifled from a principle of policy only, & to prevent you from being urged to a justification of yourself. From this principle alone proceed the silence and cold respect they observe towards you. Still, they cannot prevent at times the flames bursting from under the embers, as mr. Pickering's letters, report, & conversations testify, as well as the indecent expressions respecting you, indulged by some of them in the debate on these despatches. These sufficiently show that you are never more to be honored or trusted by them, and that they await to crush you for ever, only till they can do it without danger to themselves.

When I sat down to answer your letter, but two courses presented themselves, either to say nothing or everything; for half confidences are not in my character. I could not hesitate which was due to you. I have unbosomed myself fully; & it will certainly be highly gratifying if I receive like confidence from you. For even if we differ in principle more than I believe we do, you & I know too well the texture of the human mind, & the slipperiness of human reason, to consider differences of opinion otherwise than differences of form or feature. Integrity of views more than their soundness, is the basis of esteem. I shall follow your direction in conveying

Digitized by Google

this by a private hand; tho' I know not as yet when one worthy of confidence will occur. And my trust in you leaves me without a fear that this letter, meant as a confidential communication of my impressions, will ever go out of your hand, or be suffered in anywise to commit my name. Indeed, besides the accidents which might happen to it even under your care, considering the accident of death to which you are liable, I think it safest to pray you, after reading it as often as you please, to destroy at least the 2d & 3d leaves. The 1st contains principles only, which I fear not to avow; but the 2d & 3d contain facts stated for your information, and which, though sacredly conformable to my firm belief, yet would be galling to some, & expose me to illiberal attacks. I therefore repeat my prayer to burn the 2d & 3d leaves. And did we ever expect to see the day, when, breathing nothing but sentiments of love to our country & it's freedom & happiness, our correspondence must be as secret as if we were hatching it's destruction! Adieu, my friend, and accept my sincere & affectionate salutations. I need not add my signature.

TO EDMUND PENDLETON. J. MSS.

PHILADELPHIA, Jan. 29, 99.

DEAR SIR, — Your patriarchal address to your county is running through all the republican papers, and has a very great effect on the people. It is short, simple, and presents things in a view they readily comprehend. The character & circumstances

Digitized by Google

too of the writer leave them without doubts of his motives. If, like the patriarch of old, you had but one blessing to give us, I should have wished it directed to a particular object. But I hope you have one for this also. You know what a wicked use has been made of the French negociation; and particularly the X. Y. Z. dish cooked up by Marshall, where the swindlers are made to appear as the French government. Art and industry combined, have certainly wrought out of this business a wonderful effect on the people. Yet they have been astonished more than they have understood it, and now that Gerry's comes out, clearing the French government of that turpitude, & shewing them "sincere in their dispositions for peace, not wishing us to break the British treaty, and willing to arrange a liberal one with us," the people will be disposed to suspect they have been duped. But these communications are too voluminous for them, and beyond their reach. A recapitulation is now wanting of the whole story, stating every thing according to what we may now suppose to have been the truth, short, simple & levelled to every capacity. Nobody in America can do it so well as yourself, in the same character of the father of your county, or any form you like better, and so concise, as omitting nothing material, may yet be printed in hand bills, of which we could print & disperse 10. or 20,000. copies under letter covers, through all the U. S, by the members of Congress when they return home. If the understanding of the people could be rallied to the truth on this subject,

Digitized by Google

by exposing the dupery practised on them, there are so many other things about to bear on them favorably for the resurrection of their republican spirit, that a reduction of the administration to constitutional principles cannot fail to be the effect. These are the Alien & Sedition laws, the vexations of the stamp act, the disgusting particularities of the direct tax, the additional army without an enemy, & recruiting officers lounging at every court house, a navy of 50. ships, 5. millions to be raised to build it, on the usurious interest of 8. per cent., the perseverance in war on our part, when the French government shows such an anxious desire to keep at peace with us, taxes of 10. millions now paid by 4. millions of people, and yet a necessity, in a year or two, of raising 5. millions more for annual expences. These things will immediately be bearing on the public mind, and if it remain not still blinded by a supposed necessity, for the purpose of maintaining our independence & defending our country, they will set things to rights, I hope you will undertake this statement. If anybody else had possessed your happy talent for this kind of recapitulation, I would have been the last to disturb you with the application ; but it will really be rendering our country a service greater than it is in the power of any other individual to render. To save you the trouble of hunting the several documents from which this statement is to be taken, I have collected them here compleatly, and enclose them to you.

Logan's bill has passed. On this subject, it is hardly necessary for me to declare to you, on every-

Digitized by Google

thing sacred, that the part they ascribed to me was entirely a calumny. Logan called on me 4. or 5. days before his departure, & asked & received a certificate (in my private capacity) of his citizenship & circumstances of life, merely as a protection, should he be molested in the present turbulent state of Europe. I have given such to an hundred others, & they have been much more frequently asked & obtained by tories than whigs. I did not write a scrip of a pen by him to any person. From long acquaintance he knew my wishes for peace & my political sentiments generally, but he received no particular declaration of them then nor one word of authority to speak in my name, or anybody's name on that or any other subject. It was an enterprise founded in the enthusiasm of his own character. He went on his own ground & made his own way. His object was virtuous, and the effect meritorious.

TO JAMES MADISON. MAD. MSS.

Jan 30, 99.

My last to you was of the 16th, since which yours of the 12th is received, and it's contents disposed of properly. These met such approbation as to have occasioned an extraordinary impression of that day's paper. Logan's bill is passed. The lower house, by a majority of 20. passed yesterday a bill continuing the suspension of intercourse with France, with a new clause enabling the President to admit intercourse with the rebellious negroes under Toussaint,

Digitized by Google

who has an agent here, and has thrown off dependence on France. The H of R have also voted 6. 74's & 6. 18's, in part of the additional navy, say 552 guns, which in England would cost 5,000 D, & here 10,000, consequently more than the whole 5. millions for which a loan is now opened at 8. per cent. The maintenance is estimated at £1,000 (lawful) a gun annually. A bill has been this day brought into the Senate for authorizing the Pt *in case of a declaration of war or danger of invasion by any European power* to raise an *eventual* army of 30. regiments, infantry, cavalry, & artillery in addition to the additional army, the provisional army, & the corps of volunteers, which last he is authorized to brigade, officer, exercise, & pay during the time of exercise. And all this notwithstanding Gerry's correspondence recently received, & demonstrating the aversion of France to consider us as enemies. All depends on her patiently standing the measures of the present session, and the surrounding *her* islands with our cruisers, & capturing their armed vessels on her own coasts. If this is borne awhile, the public opinion is most manifestly wavering in the middle States, & was even before the publication of Gerry's correspondence. In New York, Jersey, & Pennsylvania, every one attests them, and Genl Sumpter, just arrived, assures me that the republicans in S C have gained 50. per cent. in numbers since the election, which was in the moment of the X. Y. Z. fever. I believe there is no doubt the republican governor would be elected here now, & still less for next Octo-

Digitized by Google

ber. The gentlemen of N C seem to be satisfied that their new delegation will furnish but 3. perhaps only 2. anti-republicans; if so, we shall be gainers on the whole. But it is on the progress of public opinion we are to depend for rectifying the proceedings of the next Congress. The only question is whether this will not carry things beyond the reach of rectification. Petitions & remonstrances against the alien & sedition laws are coming from various parts of N Y, Jersey, & Pensyva: some of them very well drawn. I am in hopes Virginia will stand so countenanced by those States as to repress the wishes of the government to coerce her, which they might venture on if they supposed she would be left alone. Firmness on our part, but a passive firmness, is the true course. Anything rash or threatening might check the favorable dispositions of these middle States, & rally them again around the measures which are ruining us. Buonaparte appears to have settled Egypt peacefully, & with the consent of those inhabitants, & seems to be looking towards the E. Indies, where a most formidable co-operation has been prepared for demolishing the British power. I wish the affairs of Ireland were as hopeful, and the peace with the north of Europe. Nothing new here as to the price of tobo, the river not having yet admitted the bringing any to this market. Spain being entirely open to ours, & depending on it for her supplies during the cutting off of her intercourse with her own colonies by the superiority of the British at sea, is much in our favor. I forgot to add

Digitized by Google

that the bill for the *eventual* army, authorizes the President to borrow 2. millions more. Present my best respects to mrs. Madison, health & affectionate salutations to yourself. Adieu.

TO JAMES MADISON. MAD. MSS.

PHILADELPHIA, Feb 5, 99.

I wrote you last on the 30th of Jan; since which yours of the 25th is received.

At the date of my letter I had only heard the bill for the eventual army read once. I conceived it additional to the *Provisional* army &c. I must correct the error. The bill for the provisional army (about 10,000 men) expires this session without having been carried into execution. The eventual army (about 30,000) is a substitute. I say *about* 30,000 because some calculate the new establishment of a regiment we are now passing to a little over, & some a little under 1,000 officers & privates. The whole land army contemplated is the *existing* army 5000. The *additional* army 9000. The *eventual* army 30,000. And the *volunteer* army, the amount of which is not known. But besides that it is 44,000 men, and nobody pretends to say that there is from any quarter the least *real* danger of invasion. These may surely be set down at 500 dollars per annum a man though they pretend that the existing army costs but 300. The reason of that is that there are not actually above 3000 of them, the 5,000 being merely on paper.

Digitized by Google

The bill for continuing the suspension of intercourse with France & her dependencies, is still before the Senate, but will pass by a very great vote. An attack is made on what is called Toussaint's clause, the object of which, as is charged by the one party and *admitted* by the other, is to facilitate the separation of the island from France. The clause will pass however, by about 19. to 8., or perhaps 18. to 9. Rigaud, at the head of the people of color, maintains his allegiance. But they are only 25,000 souls, against 500,000, the number of the blacks. The treaty made with them by Maitland is (if they are to be separated from France) the best thing for us. They must get their provisions from us. It will indeed be in English bottoms, so that we shall lose the carriage. But the English will probably forbid them the ocean, confine them to their island, & thus prevent their becoming an American Algiers. It must be admitted too, that they may play them off on us when they please. Against this there is no remedy but timely measures on our part, to clear ourselves, by degrees, of the matter on which that lever can work.

The opposition to Livermore was not republican. I have however seen letters from New Hampshire from which it appears that the public sentiment there is no longer progressive in any direction, but that at present it is dead water. That during the whole of their late session not a word has been heard of Jacobinism, disorganization &c. No reproach of any kind cast on the republicans, that there has been a general complaint

Digitized by Google

among the members that they could hear but one side of the question, and the great anxiety to obtain a paper or papers which would put them in possession of both sides. From Massachusetts & R. I. I have no information. Connecticut remains riveted in her political & religious bigotry. Baldwin is elected by the legislature of Georgia a Senator for 6. Years in the room of Tatnal, whose want of firmness had produced the effect of a change of sides. We have had no report of Yard's being dead. He is certainly living.

A piece published in Bache's paper on *foreign influence*, has had the greatest currency & effect. To an extraordinary first impression, they have been obliged to make a second, & of an extraordinary number. It is such things as these the public want. They say so from all quarters, and that they wish to hear *reason* instead of *disgusting blackguardism*. The public sentiment being now on the creen, and many heavy circumstances about to fall into the republican scale, we are sensible that this summer is the season for systematic energies & sacrifices. The engine is the press. Every man must lay his purse & his pen under contribution. As to the former, it is possible I may be obliged to assume something for you. As to the latter, let me pray & beseech you to set apart a certain portion of every post day to write what may be proper for the public. Send it to me while here, & when I go away I will let you know to whom you may send, so that your name shall be sacredly secret. You can render such incalculable services in this way, as to

Digitized by Google

lessen the effect of our loss of your presence here. I shall see you on the 5th or 6th of March. Affectionate salutations to mrs. Madison & yourself. Adieu.

TO JAMES MONROE. MON. MSS.

PHILADELPHIA, Feb. 11, 99.

I wrote you last on the 23d of Jan, since which yours of Jan 26 is received. A bill will pass the Senate to day for enabling the President to retaliate rigorously on any French citizens who now are or hereafter may be in our power, should they put to death any sailors of ours *forced* on board British vessels & taken by the French. This is founded expressly on their arret of Oct 29, 98, communicated by the President by message. It is known (from the Secretary of state himself) that he received, immediately after, a letter from Rufus King informing him the arret was suspended, and tho' it has been known a week that we were passing a retaliating act founded expressly on that arret, yet the President has not communicated it, and the supporters of the bill, who themselves told the secret of the suspension in debate, (for it was otherwise unknown,) will yet pass the bill. We have already an existing army of 5,000 men, & the *additional* army of 9,000 now going into execution. We have a bill on its progress through Senate for authorizing the presdt to raise 30. regiments (30,000 men) called an *eventual* army, in case of war with any European power, or of imminent danger of invasion from them *in his opinion.* And also to call

Digitized by Google

out & exercise at times the *volunteer* army, the number of which we know not. 6. 74's & 6. 18's, making up 550. guns (in part of the fleet of 12. 74's, 12. frigates, and 20. or 30. smaller vessels proposed to be built or bought as soon as we can), are now to be begun. One million of dollars is voted. The government estimate of their cost is about 4,500. D (£1000 sterl) a gun. But there cannot be a doubt they will cost 10,000 D. a gun, & consequently the 550. guns will be 5½ millions. A loan is now opened for 5. millions at 8. per cent., & the *eventual* army bill authorizes another of 2. millions. King is appointed to negociate a treaty of commerce with Russia, in London. Phocion Smith is *proposed* to go to Constantinople to make a treaty with the Turks. Under two other covers you will receive a copy of the French originals of Gerry's communicns for yourself, and a doz. of G. N's pamphlets on the laws of the last session. I wish you to give these to the most influential characters among our country-men, who are only misled, are candid enough to be open to conviction, & who may have most effect on their neighbors. It would be useless to give them to persons already sound. Do not let my name be connected with the business. It is agreed on all hands that the British depredations have greatly exceeded the French during the last 6. months. The insurance companies at Boston, this place & Baltimore, prove this from their books. I have not heard how it is at N. Y. The Senate struck out the bill continuing the suspension of intercourse with France, the clauses which authorized the P to do it with certain

Digitized by Google

other countries (say Spanish & Dutch), which clauses had passed the H of R by a majority of, I believe, 20. They agreed, however, to the amendment of the Senate. But Toussaint's clause was retained by both Houses. Adieu affectionately.

Feb. 12th. The vessel called the Retaliation, formerly French property taken by us, armed & sent to cruise on them, retaken by them & carried into Guadaloupe, arrived here this morning with her own capt crew, &c. They say that new commissioners from France arrived at Guadaloupe, sent Victor Hughes home in irons, liberated this crew, said to the captn that they found him to be an officer bearing a regular commission from the U S, possessed of a vessel called the Retaliation, then in their port; that they should inquire into no preceding fact, and that he was free with his vessel & crew to depart; that as to differences with the U S, commrs were coming out from France to settle them; in the meantime, no injury should be done to us or our citizens. This was known to every Senator when we met. The Retaliation bill came on, on it's passage, & was passed with only 2. dissenting voices, 2. or 3. who would have dissented happening to be absent.

TO AARON BURR. J. MSS.

PHILADELPHIA, Feb. 11. 99.

DEAR SIR,—Your favor of Feb. 3. came to hand two days ago. I am sorry to observe my friend Perry's claim to be so unpromising. However I

Digitized by Google

shall still hope for something under the wing of your judgment, which you say will be decided Mar. 14. & if that shall fail, that he may come in for his share under the general attachment. I have no conception how Morris's conveyances to his sons & family can be good against the statutes on fraudulent conveyances, if those statutes be in force with you, as in their British form. Everybody must know that his sons could have no means of making such purchases on valuable considerations. However of all this you are a much better judge. I pray you to let no chance escape of effectuating Dr. Currie's claim.

The public papers inform you of everything passing here. Of the proposed navy of 18. 74's, 12. frigates & 20 or 30 smaller vessels, of which 6. 74's & 6. 18's are now to be begun; of our *existing* army of 5,000 men, *additional* army of 9,000, *eventual* army of 30,000 (now under manufacture) & *volunteer* army of we know not how many. As it is acknowledged at the same time that it is *impossible* the French should invade us since the annihilation of their power on the sea, our constituents will see in these preparations the utmost anxiety to guard them against even impossibilities. The southern states do not discover the same care however in the bill authorizing the President to admit Toussaint's subjects to a free commerce with them, & free ingress & intercourse with their black brethren in these states. However if they are guarded against the cannibals of the terrible republic, they ought not to object to being eaten by a more civilized enemy. Shall we see you

Digitized by Google

here this session? It would give me great pleasure. I am with sincere esteem dear sir, your friend & servant.

P. S. The system of alarm manifestly flags; & the supplementary event of ambassador Logan has not had the expected effect. The public opinion in this state is rapidly coming round. Even the German counties of York & Lancaster are changing sides.

TO JAMES MADISON. MAD. MSS.

Feb. 12. 99.

I wrote you last on the 5th. which acknoleged yours of Jan. 25. the last at hand. Yesterday the bill for 6.74's and 6.18's passed the H. of R. by 54. against 42. And the bill for a new organization of the army (into regiments of about 1,000.) passed the Senate. The bill continuing the suspension of intercourse with France & her dependencies has passed both houses, but the Senate struck out the clauses permitting the President to extend it to other powers. Toussaint's clause however was retained. Even South Carolinians in the H. of R. voted for it. We may expect therefore black crews, & supercargoes & missionaries thence into the southern states; & when that leven begins to work, I would gladly compound with a great part of our northern country, if they would honestly stand neuter. If this combustion can be introduced among us under any veil whatever, we have to fear it. We shall this day press the retaliation bill. It reaches & is expressly founded on the

Digitized by Google

French arret of Oct. 29. 98, communicated to us by the President. It came out from Sedgwick and Stockton in debate that they had had it from the Secy. of state that he had received a letter from mr. King informing him of the suspension of that arret. Yet tho' they knew we were legislating on it, the P. has not communicated it; & the retaliators insist on passing the bill. It is now acknoleged on all hands, denied on none, & declared by the insurance companies that during the last 6. months the British depredns. have far exceeded the French. King has been appointed to enter into a treaty with Russia at London & Phocion Smith was yesterday confirmed by the Senate as Envoy extray & M. P. to Constantinople to make a like treaty with the Turks. To change the moment of a coalition between the Turks, Russians & English against France to unite us by treaty with that body as openly as they intend to propose, cannot be misconstrued. I send you under a separate cover the French originals of Gerry's communcns, one of G: N.'s pamphlets & the Treasury statements of exports & imports of the last year. Adieu.

P. S. No letter you could write after your receipt of this will find me here.

TO ARCHIBALD STUART.[1]

PHILADELPHIA, Feb 13, 99.

DEAR SIR,—I avoid writing to my friends because the fidelity of the post office is very much doubted. I will give you briefly a statement of what we have

[1] From the original in the possession of the Virginia Historical Society.

Digitized by Google

done and are doing. The following is a view of our finances in round numbers. The impost brings in the last year 7½ millions of dollars, the excise, carriages, auctions, & licenses, ½ a million, the residuary small articles ⅛ of a million. It is expected that the stamp act may pay the expense of the direct tax, so that the two may be counted at 2. millions, making in the whole 10⅛ millions. Our expenses for the civil list ¾ of a million, foreign intercourse ½ a million (this includes Indian & Algerine expenses, the Spanish & British treaties), interest of the public debt 4. millions, the existing navy 2½ millions, the existing army, 5,000 men, 1½. millions, making 9¼. millions, so that we have a surplus of near a million. But the additional army, 9,000 men, now raising, will add 2½. millions annually, the additional navy proposed 3. millions, and the interest of the new loans ½ a million, making 6 millions more, so that as soon as the army and navy shall be ready, our whole expenses will be 15. millions; consequently, there will be 5. millions annually more to be raised by taxes. Our present taxes of 10. M. are 2. dollars a head on our present population, and the future 5. M. will make it 3. D. Our whole exports (native) this year are 28 M., so that our taxes are now ⅛ & will soon be ⅛ of our whole exports; & when you add the expenses of the State Governments we shall be found to have got to the plenum of taxation in 10. short years of peace. Great Britain, after centuries of wars & revolutions, had at the commencement of the present war taxed only to the amount of ⅔ of her exports. We have opened a loan for 5 M., @ 8. per cent. interest, & another is proposed of 2. M. These

Digitized by Google

are to build 6. 74's & 6. 18's, in part of additional navy, for which a bill passed the H of R 2 days ago, by 54. against 42. Beside the existing army of 5,000 & additional army of 9,000, an *eventual* army of 30,000 is proposed to be raised by the President, in case of invasion by any European power, or danger of invasion, *in his opinion*, and the *volunteer* army, the amount of which we know not, is to be immediately called out & exercised at the public expense. For these purposes a bill has been twice read and committed in the Senate. You have seen by Gerry's communication that France is *sincerely anxious* for reconciliation, willing to give us a *liberal* treaty, and does not wish us to break the British treaty, but only to put her on an equal footing. A further proof of her sincerity turned up yesterday. We had taken an armed vessel from her, had refitted and sent her to cruise against them, under the name of the Retaliation, and they re-captured & sent her into Guadaloupe. The new commissioners arriving there from France, sent Victor Hughes off in irons, and said to our captain, that as they found him bearing a regular commission as an officer of the Ud S, with his vessel in their port, & his crew, they would inquire into no fact respecting the vessel preceding their arrival, but that he, his vessel & crew, were free to depart. They arrived here yesterday. The federal papers call her a *cartel*. It is whispered that the Executive mean to return an equal number of the French prisoners, and this may give a color to call her a cartel, but she was liberated freely & without condi-

Digitized by Google

tion. The commissioners further said to the captain that, as to the differences with the Ud S, new commissioners were coming out from France to settle them, & in the meantime they should do us no injury. The President has appointed Rufus King to make a commercial treaty with the Russians in London, and Wm Smith, (of S C,) to go to Constantinople to make one with the Turks. Both appointments are confirmed by the Senate. A little dissatisfaction was expressed by some that we should never have treated with them till the moment when they had formed a coalition with the English against the French. You have seen that the Directory had published an arret declaring they would treat as pirates any neutrals they should take in the ships of their enemies. The President communicated this to Congress as soon as he received it. A bill was brought into Senate reciting that arret, and authorizing retaliation. Tho' the P received information almost in the same instant that the Directory had suspended the arret (which fact was privately declared by the Secretary of state to two of the Senate), and, tho' it was known we were passing an act founded on that arret, yet the P has never communicated the suspension. However the Senate, informed indirectly of the fact, still passed the act yesterday, an hour after we had heard of the return of our vessel & crew before mentioned. It is acknoleged on all hands, & declared by the insurance companies that the British depredations during the last 6. months have greatly exceeded the French, yet not a word is said about it officially. However, all

Digitized by Google

these things are working on the public mind. They are getting back to the point where they were when the X. Y. Z. story was played off on them. A wonderful & rapid change is taking place in Pennsylvania, Jersey, & N York. Congress is daily plied with petitions against the alien & sedition laws & standing armies. Several parts of this State are so violent that we fear an insurrection. This will be brought about by some if they can. It is the only thing we have to fear. The appearance of an attack of force against the government would check the present current of the middle States, and rally them around the government; whereas, if suffered to go on, it will pass on to a reformation of abuses. The materials now bearing on the public mind will infallibly restore it to it's republican soundness in the course of the present summer, if the knolege of facts can only be disseminated among the people. Under separate cover you will receive some pamphlets written by George Nicholas on the acts of the last session. These I wish you to distribute, not to sound men who have no occasion for them, but to such as have been misled, are candid & will be open to the conviction of truth, and are of influence among their neighbors. It is the sick who need medicine, & not the well. Do not let my name appear in the matter. Perhaps I shall forward you some other things to be distributed in the same way. Let me now trouble you with a small private matter. Mr. Clarke was tolerably punctual in his remittances as long as he continued in business. But when he quitted he had near £100.

Digitized by Google

of mine for nails actually sold, in his hands. For so I had a right to consider it as I charged only ready money prices, & such was the condition settled between us. This money has now been a twelvemonth in his hands, and the intermediate applications ineffectual. In truth I am not able to carry on my manufactory but on ready sales. I have no money capital to enable me to make great advances & long winded debts. If you could mention the matter to mr. Clarke in any way that would best suit the footing on which you stand with him, & be the means of my receiving it immediately on my return home (about the 10th of March) it would be a very sensible relief to me. And indeed if he does not pay it soon I must use effectual means to obtain it, such delays being incompatible with the course or the necessities of my manufactory. Present me respectfully to mrs. Stuart, and accept assurances of the sincere esteem of, dear Sir, your affectionate friend and servant.

TO EDMUND PENDLETON. J. MSS.

PHILADELPHIA, Feb. 14, 99.

DEAR SIR,—I wrote you a petition on the 29th of Jan. I know the extent of this trespass on your tranquillity, and how indiscreet it would have been under any other circumstances. But the fate of this country, whether it shall be irretrievably plunged into a form of government rejected by the makers of the constitution, or shall get back to the true principles of that instrument, depends on the turn which things

Digitized by Google

may take within a short period of time ensuing the present moment. The violations of the constitution, propensities to war, to expense, & to a particular foreign connection, which we have lately seen, are becoming evident to the people, and are dispelling that mist which X. Y. Z. had spread before their eyes. This State is coming forward with a boldness not yet seen. Even the German counties of York & Lancaster, hitherto the most devoted, have come about, and by petitions with 4,000 signers remonstrate against the Alien & Sedition laws, standing armies, & discretionary powers in the President. New York & Jersey are also getting into great agitation. In this State, we fear that the ill designing may produce insurrection. Nothing could be so fatal. Anything like force would check the progress of the public opinion & rally them round the government. This is not the kind of opposition the American people will permit. But keep away all show of force, and they will bear down the evil propensities of the government, by the constitutional means of election & petition. If we can keep quiet, therefore, the tide now turning will take a steady & proper direction. Even in N Hampshire there are strong symptoms of a rising inquietude. In this state of things, my dear Sir, it is more in your power than any other man's in the U S, to give the coup de grace to the ruinous principles and practices we have seen. In hopes you have consented to it, I shall furnish to you some additional matter which has arisen since my last.

I enclose you a part of a speech of mr. Gallatin on

Digitized by Google

the naval bill. The views he takes of our finances, & of the policy of our undertaking to establish a great navy, may furnish some hints. I am told something on the same subject from mr. J. Nicholas will appear in the Richmond & Fredksbg papers. I mention the real author, that you may respect it duly, for I presume it will be anonymous. The residue of Gallatin's speech shall follow when published. A recent fact, proving the anxiety of France for a reconciliation with us, is the following. You know that one of the armed vessels which we took from her was refitted by us, sent to cruise on them, recaptured, & carried into Guadaloupe under the name of the Retaliation. On the arrival there of Desfourneaux, the new commissioner, he sent Victor Hughes home in irons; called up our captn: told him that he found he had a regular commission as an officer of the U S; that his vessel was then lying in harbor; that he should inquire into no fact preceding his own arrival (by this he avoided noticing that the vessel was really French property) and that therefore, himself & crew were free to depart with their vessel; that as to the differences between France & the U S, commissioners were coming out to settle them, & in the meantime, no injury should be done on their part. The captain insisted on being a prisoner; the other disclaimed; & so he arrived here with vessel & crew the day before yesterday. Within an hour after this was known to the Senate, they passed a retaliation bill, of which I enclose you a copy. This was the more remarkable, as the bill was founded expressly on the *Arret* of

Digitized by Google

Oct 29, which had been communicated by the President as soon as received, and he remarked, "that it could not be too soon communicated to the two Houses & the public." Yet he almost in the same instant received, through the same channel, mr. King, information that the *Arret* was suspended, & tho' he knew we were making it the foundation of a retaliation bill, he has never yet communicated it. But the Senate knew the fact informally from the Secy of state, & knowing it, passed the bill.

The President has appointed, & the Senate approved Rufus King, to enter into a treaty of commerce with the Russians, at London, & Wm Smith, (Phocion) Envoy Extray & M. P., to go to Constantinople to make one with the Turks. So that as soon as there is a coalition of Turks, Russians & English, against France, we seize that moment to countenance it as openly as we dare, by treaties, which we never had with them before. All this helps to fill up the measure of provocation towards France, and to get from them a declaration of war, which we are afraid to be the first in making. It is certain the French have behaved atrociously towards neutral nations, & us particularly; and tho' we might be disposed not to charge them with all the enormities committed in their name in the West Indies, yet they are to be blamed for not doing more to prevent them. A just and rational censure ought to be expressed on them, while we disapprove the constant billingsgate poured on them *officially*. It is at the same time true, that their enemies set the first example of violating neu-

Digitized by Google

tral rights, & continue them to this day; insomuch that it is declared on all hands, & particularly by the insurance companies & denied by none, that the British spoliations have considerably exceeded the French during the last 6. months. Yet not a word of these things is said officially to the legislature.

Still further, to give the devil his due, (the French) it should be observed that it has been said without contradiction, and the people made to believe, that their refusal to receive our Envoys was contrary to the L. of Nations, and a sufficient cause of war; whereas, every one who ever read a book on the law of nations knows, that it is an unquestionable right in every power to refuse to receive any minister who is personally disagreeable. Martens, the latest and a very respected writer, has laid this down so clearly & shortly in his "summary of the law of nations," B. 7. ch. 2. sec. 9, that I will transcribe the passage verbatim. "Section 9. Of choice in the person of the minister. The choice of the person to be sent as minister depends of right on the sovereign who sends him, leaving the right, however, of him to whom he sent, of refusing to acknolege any one, to whom he has a personal dislike, or who is inadmissible by the laws & usages of the country." And he adds notes proving by instances, &c. This is the whole section.

Notwithstanding all these appearances of peace from France, we are, besides our *existing* army of 5.000 men, & *additional* army of 9.000 (now officered and levying), passing a bill for an *eventual* army of 30 regiments (30,000) and for regimenting, brigad-

Digitized by Google

ing, officering & exercising *at the public expense* our *volunteer* army, the amount of which we know not. I enclose you a copy of the bill, which has been twice read & committed in Senate. To meet this expence, & that of the 6. 72's & 6. 18's part of the proposed fleet, we have opened a loan of 5. millions at 8 per cent., & authorize another of 2 millions; and at the same time, every man voting for these measures acknoleges there is no probability of an invasion by France. While speaking of the restoration of our vessel, I omitted to add, that it is said that our government contemplate restoring the Frenchmen taken originally in the same vessel, and kept at Lancaster as prisoners. This has furnished the idea of calling her a *cartel* vessel, and pretending that she came as such for an exchange of prisoners, which is false. She was delivered free & without condition, but it does not suit to let any new evidence appear of the desire of conciliation in France. I believe it is now certain that the Commissioners on the British debts can proceed together no longer. I am told that our two have prepared a long report, which will perhaps be made public. The result will be, that we must recur again to negociation, to settle the principles of the British claims. You know that Congress rises on the 3d of March, and that if you have acceded to my prayers, I should hear from you at least a week before our rising. Accept my affectionate salutations & assurances of the sincere esteem with which I am, dear Sir, your friend and servant.

Digitized by Google

TO JAMES MADISON. MAD. MSS.

Feb 19, 99.

I wrote to you last on the 11th; yesterday the bill for the *eventual* army of 30 regiments (30.000) & 75.000 volunteers, passed the Senate. By an amendment, the P was authorized to use the volunteers for every purpose for which he can use militia, so that the militia are rendered compleatly useless. The friends of the bill acknoleged that the volunteers are a *militia*, & agreed that they might properly be called the Presidential militia. They are not to go out of their state without their own consent. Consequently, all service out of the state is thrown on the constitutional militia, the Presidential militia being exempted from doing duty with them. Leblanc, an agent from Desfourneaux of Guadaloupe, came in the Retaliation. You will see in the papers Desfourneaux's letter to the President, which will correct some immaterial circumstances of the statement in my last. You will see the truth of the main fact, that the vessel & crew were liberated without condition. Notwithstanding this, they have obliged Leblanc to receive the French prisoners, & to admit, in the papers, the terms, 'in *exchange* for *prisoners* taken from us,' he denying at the same time that they consider them as *prisoners*, or had any idea of *exchange*. The object of his mission was not at all relative to that; but they chuse to keep up the idea of a cartel, to prevent the transaction from being used as evidence of the sincerity of the French govent towards a reconciliation. He came to assure us of a discontinuance of all irregular-

Digitized by Google

ities in French privateers from Guadaloupe. He has been received very cavalierly. In the meantime, a *consul general* is named to St. Domingo; who may be considered as our minister to Toussaint.

But the event of events was announced to the Senate yesterday. It is this: it seems that soon after Gerry's departure, overtures must have been made by Pichon, French chargé d'affaires at the Hague, to Murray. They were so soon matured, that on the 28th of Sep, 98, Taleyrand writes to Pichon, approving what had been done, & particularly of his having assured Murray that *whatever* Plenipotentiary the govent of the U S should send to France to end our differences would undoubtedly be received with the respect due to the representative of a *free, indepndt & powerful nation;* declaring that the President's instructions to his envoys at Paris, if they contain the whole of the American government's intentions, announce dispositions which have been always entertained by the Directory; & desiring him to communicate these expressions to Murray, in order to convince him of the sincerity of the French government, & to prevail on him to transmit them to his government. This is dated Sep 28. & may have been received by Pichon Oct 1; and nearly 5. months elapse before it is communicated. Yesterday, the P nominated to the Senate W V Murray Mr Pl to the French republic, & adds, that he shall be instructed not to go to France, without direct & unequivocal assurances from the Fr government that he shall be received in character, enjoy the due privileges, and a

Digitized by Google

minister of equal rank, title & power, be appointed to discuss & conclude our controversies by a new treaty. This had evidently been kept secret from the Feds of both Houses, as appeared by their dismay. The Senate have passed over this day without taking it up. It is said they are graveled & divided; some are for opposing, others do not know what to do. But in the meantime, they have been permitted to go on with all the measures of war & patronage, & when the close of the session is at hand it is made known. However, it silences all arguments against the sincerity of France, and renders desperate every further effort towards war. I enclose you a paper with more particulars. Be so good as to keep it till you see me, & then return it, as it is the copy of one I sent to another person, & is the only copy I have. Since I began my letter I have received yours of Feb 7 and 8, with it's enclosures; that referred to my discretion is precious, and shall be used accordingly.

Affectionate salutations to mrs. M & yourself, & adieu

P. S. I have committed you & your friends for 100 D. I will justify it when I see you.

TO EDMUND PENDLETON. J. MSS.

PHILADELPHIA, Feb 19, 99.

DEAR SIR,—Since my last, which was of the 14th, a Monsr Leblanc, agent from Desfourneaux, has come to town. He came in the Retaliation, and a letter of

Digitized by Google

Desfourneaux, of which he was the bearer, now enclosed, will correct some circumstances in my statement relative to that vessel which were not very material. It shews, at the same time, that she was liberated without condition; still *it is said* but I have no particular authority for it, that he has been obliged to receive French prisoners here, and to admit in the paper that the terms 'in exchange for *prisoners taken* from us,' should be used, he declaring, at the same time, that they had never considered ours as prisoners, nor had an idea of *exchange*. The object of his mission was to assure the government against any future irregularities by privateers from Guadaloupe, and to open a friendly intercourse. He has been treated very cavalierly. I enclose you the President's message to the H of R relative to the suspension of the *Arret*, on which our retaliation bill is founded.

A great event was presented yesterday. The P communicated a letter from Taleyrand to Pichon, French chargé des affaires at the Hague, approving of some overtures which had passed between him & mr. Murray, and particularly of his having undertaken to assure Murray that *whatever* Plenipotentiary we might send to France to negotiate differences, should be received with the respect due to the representative of a '*free, independt & powerful nation*,' and directing him to *prevail on Murray to transmit these assurances to his government*. In consequence of this, a nomination of mr. Murray, M. P. to the French republic, was yesterday sent to the Senate. This renders their efforts for war desperate, & silences all further denials

Digitized by Google

of the sincerity of the French government. I send you extracts from these proceedings for your more special information. I shall leave this the 2d day of March. Accept my affectionate salutations. Adieu.

P. S. I should have mentioned that a nomination is before the Senate of a *consul general* to St. Domingo. It is understood that he will present himself to Toussaint, and is, in fact, our minister to him.

The face they will put on this business is, that they have frightened France into a respectful treatment. Whereas, in truth, France has been sensible that her measures to prevent the scandalous spectacle of war between the two republics, from the known impossibility of our injuring her, would not be imputed to her as a humiliation.[1]

TO JAMES MONROE. MON. MSS.

PHILADELPHIA Feb. 19. 99.

I am so hard pressed for time that I can only announce to you a single event: but that is a great one. It seems that soon after Gerry's departure from France, overtures must have been made by Pichon, French Chargé d'affaires at the Hague to Murray. These were so soon matured that on the 28th. of Sep. 98. Taleyrand writes to Pichon approving what had been done & particularly of his having assured Murray that *whatever* Plenipot. the Govmt. of the U. S. should send to France to end our differences, would undoubtedly be received with the re-

[1] On margin.

Digitized by Google

spect due to the representative of a *free, independent & powerful nation:* declaring that the President's instructions to his envoys at Paris, if they contain the whole of the American govmt's intentions, announce dispositions which have been always entertained by the Directory, & desiring him to communicate these expressions to Murray in order to convince him of the sincerity of the French government, & to prevail on him to transmit them to his govmt. This is dated Sep. 28. & may have been received by Pichon Oct. 1. and near 5. months are elapsed before it is communicated. Yesterday the President nominated to the Senate W. V. Murray M. P. to the French republic, & adds that he shall be instructed not to go to France without direct & unequivocal assurances from the French govmt that he shall be received in character, enjoy the due privileges, & a minister of equal rank, title, & powers be appointed to discuss & conclude our Controversies by a new treaty. You will perceive that this measure has been taken as grudgingly as tardily, just as the close of the session is approaching, and the French are to go through the ceremony of a second submission. This had evidently been kept secret from the Feds of both houses, as appeared by their dismay. The Senate have passed over this day without taking it up. It is said they are gravelled & divided. Some are for opposing; others do not know what to do. But in the meantime they have been permitted to go on with all the measures of war & patronage. This silences all arguments against

Digitized by Google

the sincerity of France, & renders desperate every further effort towards war. Communicate the general fact of this appointment & of it's being the Consequence of overtures from France to whom you please; but the particulars of my statement only to our most discreet friends.—I have been obliged to lay you & your friends under contribution for a loan of 100. D. which I will justify when I see you. My most friendly salutations to mrs. Monroe & yourself. Adieu.

TO ROBERT R. LIVINGSTON. J. MSS.

PHILADELPHIA, Feb 23, 99.

DEAR SIR,—I have received with great pleasure your favor on the subject of the Steam engine. Tho' deterred by the complexity of that hitherto known, from making myself minutely acquainted with it, yet I am sufficiently acquainted with it to be sensible of the superior simplicity of yours, and it's superior economy. I particularly thank you for the permission to communicate it to the Philosophical society; and though there will not be another session before I leave town, yet I have taken care, by putting it into the hands of one of the Vice-presidents to-day, to have it presented at the next meeting. I lament the not receiving it a fortnight sooner, that it might have been inserted in a volume now closed, and to be published in a few days, before it would be possible for this engraving to be ready. There is one object to which I have often wished a steam engine could be

Digitized by Google

adapted. You know how desirable it is both in town & country to be able to have large reservoirs of water on the top of our houses, not only for use (by pipes) in the apartments, but as a resource against fire. This last is most especially a desideratum in the country. We might indeed have water carried from time to time in buckets to cisterns on the top of the house, but this is troublesome, & therefore we never do it,—consequently are without resource when a fire happens. Could any agent be employed which would be little or no additional expence or trouble except the first purchase, it would be done. Every family has such an agent, it's kitchen fire. It is small indeed, but if it's small but constant action could be accumulated so as to give a stroke from time to time which might throw ever so small a quantity of water from the bottom of a well to the top of the house (say 100. feet), it would furnish more than would waste by evaporation, or be used by the family. I know nobody who must better know the value of such a machine than yourself, nor more equal to the invention of it, and especially with your familiarity with the subject. I have imagined that the iron back of the chimney might be a cistern for holding the water, which should supply steam & would be constantly kept in a boiling state by the ordinary fire. I wish the subject may appear as interesting to you as it does to me, it would then engage your attention, and we might hope this desideratum would be supplied.

A want of confidence in the post office deters me

Digitized by Google

from writing to my friends on the subject of politics. Indeed I am tired of writing Jeremiades on that subject. What person, who remembers the times and tempers we have seen, would have believed that within so short a period, not only the jealous spirit of liberty which shaped every operation of our revolution, but even the common principles of English whiggism would be scouted, and the tory principle of passive obedience under the new-fangled names of *confidence* & *responsibility*, become entirely triumphant? That the tories, whom in mercy we did not 'crumble to dust & ashes,' could so have entwined us in their scorpion tails, that we cannot now move hand or foot. But the spell is dissolving. The public mind is recovering from the delirium into which it had been thrown, and we may still believe with security that the great body of the American people must for ages yet be substantially republican. You have heard of the nomination of mr. Murray. Not being in the secret of this juggle, I am not yet able to say how it is to be played off. Respectful & affectionate salutations from, dear Sir, your sincere friend & servant.

TO JAMES MADISON. MAD. MSS.

PHILADELPHIA, Feb 26, 99.

My last to you was of the 19th; it acknoleged yours of the 8th. In mine, I informed you of the nomination of Murray. There is evidence that the letter of Taleyrand was known to one of the Secre-

Digitized by Google

taries, therefore probably to all; the nomination, however, is declared by one of them to have been kept secret from them all. He added, that he was glad of it, as, had they been consulted, the advice would have been against making the nomination. To the rest of the party, however, the whole was a secret till the nomination was announced. Never did a party shew a stronger mortification, & consequently, that war had been their object. Dana declared in debate (as I have from those who were present,) that we had done everything which might provoke France to war; that we had given her insults which no nation ought to have borne; & yet she would not declare war. The conjecture as to the Executive is, that they received Taleyrand's letter before or about the meeting of Congress; that not meaning to meet the overture effectually, they kept it secret, & let all the war measures go on; but that just before the separation of the Senate, the P, not thinking he could justify the concealing such an overture, nor indeed that it could be concealed, made a nomination, hoping that his friends in the Senate would take on their own shoulders the odium of rejecting it; but they did not chuse it. The Hamiltonians would not, & the others could not, alone. The whole artillery of the phalanx, therefore, was plaid secretly on the Pt, and he was obliged himself to take a step which should parry the overture while it wears the face of acceding to it. (Mark that I state this as conjecture; but founded on workings & indications which have been under our eyes.) Yes-

Digitized by Google

terday, therefore, he sent in a nomination of Oliver Elsworth, Patrick Henry & W Vans Murray, Envoys Ext & M P to the French Republic, but declaring the two former should not leave this country till they should receive from the French Directory assurances that they should be received with the respect due by the law of nations to their character, &c. This, if not impossible, must at least keep off the day so hateful & so fatal to them, of reconciliation, & leave more time for new projects of provocation. Yesterday witnessed a scandalous scene in the H of R. It was the day for taking up the report of their commee against the Alien & Sedition laws, &c. They held a Caucus and determined that not a word should be spoken on their side, in answer to anything which should be said on the other. Gallatin took up the Alien, & Nicholas the Sedition law; but after a little while of common silence, they began to enter into loud conversations, laugh, cough, &c., so that for the last hour of these gentlemen's speaking, they must have had the lungs of a vendue master to have been heard. Livingston, however, attempted to speak. But after a few sentences, the Speaker called him to order, & told him what he was saying was not to the question. It was impossible to proceed. The question was taken & carried in favor of the report, 52 to 48.; the real strength of the two parties is 56. to 50. But two of the latter have not attended this session. I send you the report of their committee. I still expect to leave this on the 1st, & be with you on the 7th of March. But it is possible

Digitized by Google

I may not set out till the 4th, and then shall not be with you till the 10th. Affectionately adieu.

TO BISHOP JAMES MADISON. J. MSS.

PHILADELPHIA, Feb 27, 99.

DEAR SIR,—Your favor of Feb 10 came safely to hand. We were for a moment flattered with the hope of a friendly accommodation of our differences with France, by the President's nomination of mr. Murray our minister at the Hague to proceed to Paris for that purpose. But our hopes have been entirely dashed by his revoking that and naming mr. Elsworth, mr. Patrick Henry & Murray; the two former not to embark from America till *they* shall receive assurances from the French Government, that they will be received with the respect due to their character by the Law of nations; and this too after the French Government had already given assurances that whatever Minister the President should send should be received with the respect due to the representative of a *great, free & independent* nation. The effect of the new nomination is compleatly to parry the advances made by France towards a reconciliation. A great change is taking place in the public mind in these middle states, and they are rapidly resuming the Republican ground which they had for a moment relinquished. The tables of Congress are loaded with petitions proving this. 13. of the 22. counties of this state have already petitioned against the proceedings of the late Congress. Many also

Digitized by Google

Digitized by Google

Digitized by Google

from New York & New Jersey, and before the summer is over, these three states will be in unison with the Southern & Western. I take the liberty of putting under your cover a letter for a young gentleman known to you, & to whom I know not how otherwise to direct it. I am, with great esteem, dear Sir, your friend and servant.

TO THOMAS LOMAX. J. MSS.

MONTICELLO, Mar 12, 99.

DEAR SIR,—Your welcome favor of last month came to my hands in Philadelphia. So long a time has elapsed since we have been separated by events, that it was like a letter from the dead, and recalled to my memory very dear recollections. My subsequent journey through life has offered nothing which, in comparison with those, is not cheerless & dreary. It is a rich comfort sometimes to look back on them.

I take the liberty of enclosing a letter to mr. Baylor, open, because I solicit your perusal of it. It will, at the same time, furnish the apology for my not answering you from Philadelphia. You ask for any communication I may be able to make, which may administer comfort to you. I can give that which is solid. The spirit of 1776 is not dead. It has only been slumbering. The body of the American people is substantially republican. But their virtuous feelings have been played on by some fact with more fiction; they have been the dupes of artful manœuvres, & made for a moment to be willing

Digitized by Google

instruments in forging chains for themselves. But time & truth have dissipated the delusion, & opened their eyes. They see now that France has sincerely wished peace, & their seducers have wished war, as well for the loaves & fishes which arise out of war expences, as for the chance of changing the constitution, while the people should have time to contemplate nothing but the levies of men and money. Pennsylvania, Jersey & N York are coming majestically round to the true principles. In Pensylva, 13. out of 22. counties had already petitioned on the alien & sedition laws. Jersey & N Y had begun the same movement, and tho' the rising of Congress stops that channel for the expression of their sentiment, the sentiment is going on rapidly, & before their next meeting those three States will be solidly embodied in sentiment with the six Southern & Western ones. The atrocious proceedings of France towards this country, had well nigh destroyed its liberties. The Anglomen and monocrats had so artfully confounded the cause of France with that of freedom, that both went down in the same scale. I sincerely join you in abjuring all political connection with every foreign power; and tho I cordially wish well to the progress of liberty in all nations, and would forever give it the weight of our countenance, yet they are not to be touched without contamination from their other bad principles. Commerce with all nations, alliance with none, should be our motto.

Accept assurances of the constant & unaltered affection of, dear Sir, your sincere friend and servant.

Digitized by Google

TO EDMUND PENDLETON. J. MSS.

MONTICELLO Apr. 22. 99.

MY RESPECTED FRIEND,—Your letter of Feb. 24. which was intended to have reached me at Philadelphia, did not arrive there till I had left that place & then had to follow me to this, which must apologize for the delay in acknoleging it. In the meantime I had seen in our papers the one with your signature, & seen it with great satisfaction. Omitting one paragraph of it I may be permitted to give to the residue unqualified praise. The simplicity & candor with which it is written will procure it a candid reading with all, & nothing more is necessary to give their full effect to its statements & reasoning. I lament it had not got to Philadelphia a few days sooner that we might have sent it out in handbills by the members. I observe however that it is running through all the republican papers & with very great effect. The moment too is favourable, as the tide is evidently turning & the public men [faded] from Marshall's [faded] romance. It is unfortunate that we have yet two years of mr. Adams to go through in the hands of a legislature [faded] under the impressions of that romance [faded] Presidential army or Presidential militia, it will leave me without a doubt that force on the Constitution is intended. It is already plain enough from the Secretary of War's letter that Hamilton is to be the real general, the other to be used only by his name. Can such an army under Hamilton be disbanded? Even if a H. of Repr. can be got willing & wishing to dis-

Digitized by Google

band them? I doubt it, & therefore rest my principal hope on their inability to raise anything but officers. I observe in the election of governor for Massachusetts that the vote for Heath (out of Boston) is much strengthened. Could the people of that state emerge from the deceptions under which they are kept by their clergy, lawyers & English presses, our salvation would be sure & easy. Without that, I believe it will be effected; but it will be uphill work. Nor can we expect ever their cordial cooperation, because they will not be satisfied longer than while we are sacrificing everything to navigation & a navy. What a glorious exchange would it be could we persuade our navigating fellow citizens to embark their capital in the internal commerce of our country, exclude foreigners from that & let them take the carrying trade in exchange: abolish the diplomatic establishments & never suffer an armed vessel of any nation to enter our ports. [faded] things can be thought of only in times of wisdom, not of party & Folly. May heaven still spare you to us for years to come & render them years of health, happiness, & the full enjoiment of your faculties. Affectionate salutations to yourself & mr. Taylor. Adieu.

TO ARCHIBALD STUART.[1]

MONTICELLO May 14. 99

DEAR SIR,—I received by the hands of Mr Coalter £13 from Mr Alexander. He is mistaken in supposing I had received £3–10–3 on his account from

[1] From the original in the possession of the Virginia Historical Society.

Digitized by Google

Gamble & Grattar, his letter now inclosed by you being the first and only mention to me that such a paiment had been expected. However this balance is not worth troubling you further with. I am sorry still to be troublesome with my nailery. Mr. McDowell writes me he cannot continue the sale of my nails. If he would have disposed of those remaining on his hands it would have been desireable; because they are hardly worth offering alone to another, and a long illness of my foreman, occasions our work to go on so poorly that I am able to do little more than supply this part of the country. He has for sometime past had symptoms of a dropsy supervening a decline of near a twelve month. He seems now to be getting better; but till he gets well, or till, that becoming desperate, I engage another manager, I hardly expect to be able to resume my supplies to Staunton. However if Mr McDowell will not consent to sell off what remains on his hands, I must ask the favor of you to engage some other to do it, as well as to dispose of future supplies as soon as I shall be able to furnish them. I am sensible of the difficulty of a person who sells other goods on credit, demanding ready money for nails; and therefore have found it necessary here to place them in the hands of grocers, or others dealing for ready money. The congressional elections, as far as I have heard them, are extremely to be regretted. I did expect Powel's election; but that Lee should have been elected, & Nicholas hard run marks a taint in that part of the state which I had not expected. I have not yet

Digitized by Google

heard the issue of the contest between Trigg & Hancock. Our federal candidate here cut a very poor figure. The state elections have generally gone well. Mr. Henry will have the mortification of encountering such a mass of talents as he has never met before; for from every thing I can learn, we never had an abler nor a sounder legislature. His apostacy must be unaccountable to those who do not know all the recesses of his heart. The cause of republicanism, triumphing in Europe, can never fail to do so here in the long run. Our citizens may be deceived for a while & have been deceived; but as long as the presses can be protected, we may trust to them for light; still more perhaps to the taxgatherers; for it is not worth the while of our antirepublicans to risk themselves on any change of government, but a very *expensive* one. Reduce every department to economy, & there will be no temptation to them to betray their constituents. Affectionate salutations & adieu.

TO TENCH COXE. J. MSS.

MONTICELLO, May 21, 99.

DEAR SIR,—Your favor of Apr. 29. came to hand by our last post. I have for some time been anxious to write to you on the subject mentioned therein, but a want of confidence in the post office, & a certain prospect of conveyance by Dr. Bache who has been with us for some time, & was to return to Philadelphia, induced me to await that occasion which now accordingly takes place. Immediately on my parting

Digitized by Google

with you the evening before I left Philadelphia I went to Mr. Venable's lodgings. He was not at home. I waited for him & at length he returned. I explained the subject to him & we went together to mr. Livingston's. He was gone to the theatre; so no hope of an early return. On returning to my lodgings mr. Nicholas joined us, & it was there settled that mr. Venable should devote the next day to the reducing to a certainty (in black & white) what could be done, & as it was then a late hour & I had still much to prepare for my departure the next morning, instead of calling on you again mr. Venable promised to do it & to communicate to you the effect of his exertions. He promised moreover to write to me specially of his success. I had been at home a considerable time when I saw mr. Foreman's proposals in some newspaper for the publication of a new gazette. I immediately wrote to Venable to inform me if that was the paper we had expected in order that I might prepare for the fulfillment of my engagements. I inclose you his answer, which will explain to you why you heard nothing further after I parted with you. The sum there, with the addition of two others, of 500 D. each, of which you were apprized (I believe there was a third also) fell far short of expectations. I sincerely regret the failure, & am thoroughly sensible of the importance of the undertaking, tho' much has been lost by its not having taken place this summer. My situation exposes me to so much calumny that I am obliged to be cautious of appearing in any matter however

Digitized by Google

justifiable & especially if it be of a nature to admit readily of misconception. A very short text will for a long time furnish matter for newspaper stricture. I am satisfied from what I have seen since my return that there would be scarcely any limits to the subscription for such a paper. I shall still hope that it will not be abandoned.

The Virginia congressional elections have astonished everyone. They gave five certain federalists. Three others however on whom also they count, Page, Gray, & [faded] are moderate men, & I am assured will not go with them on questions of importance. This result has proceeded from accidental combinations of circumstances, & not from an unfavorable change of sentiment. The change has unquestionably been the other way. The valley between the Blueridge & North Mountain, which had for sometime been much tainted, (and which had given me more serious uneasiness than any other appearance in this state) has come solidly round. They were represented by Homes & the two Triggs, who the last summer would have been left out by great majorities, but have now been re-elected by great majorities. The progress of the republican cause here is proved by the state elections made on the same day with those for Congress. They are more republican than those of last year; & particularly from all the upper country. How long we can hold our ground I do not know. We are not incorruptible; on the contrary, corruption is making sensible tho' silent progress. Offices are as acceptable here as

Digitized by Google

elsewhere, & whenever a man has cast a longing eye on them, a rottenness begins in his conduct. Mr. Henry has taken the field openly; but our legislature is filled with too great a mass of talents & principle to be now swayed by him. He will experience mortifications to which he has been hitherto a stranger. Still I fear something from his intriguing and cajoling talents, for which he is still more remarkable than for his eloquence. As to the effect of his name among the people, I have found it crumble like a dried leaf, the moment they become satisfied of his apostacy. With every wish for your health & happiness & sentiments of sincere esteem I am &c.

TO HARRY INNES. J. MSS.

MONTICELLO June 20. 99.

I have to acknolege the receipt of your favor of March the 2d. & to return you many thanks for it. I am very desirous to collect all the information I can relative to the murder of Logan's family, who were the perpetrators, & how far Cresap had counselled or ordered it; for tho' there exists a very general belief that he was present, yet the information I have received seems rather that he ordered Greathouse & his party on that business & took another upon himself. Of the authenticity of Logan's speech I have the evidence of General Gibson who received it from Logan's hand, delivered it to Lord Dunmore & translated it. The speech proves that Logan considered Colo. Cresap as the murderer; and nothing can

Digitized by Google

prove it more authentically than the copy of the note you have been so kind as to send me. My statement therefore, which has been attacked is nothing more than the universally received account of that transaction. If mankind have generally imputed that murder to Cresap, it was because his character led them to it, numerous murders of the Indians having drawn them to fix this on him. His character becomes an object of enquiry on this account. After letting this matter remain uncontradicted for upwards of twenty years it has now been raked up from party hatred, as furnishing some with the design of writing me down. I have left their calumnies unanswered; but in the meantime have asked the favor of gentlemen who have it in their power to procure me what information they can as I mean to prepare a correct statement of the facts respecting the murder of Logan's family, to be inserted by way of amendment into the text of the Notes on Virginia. This I hope to be able to publish next winter when in Philadelphia, so I have asked from my friends to furnish me whatever they shall have collected by the month of December next. Material from the evidence will probably be published in support of the text as it will be amended. The information will mention [*illegible*] affidavits where convenient, or of certificate or letter where not so. Minute details will be most desirable. Any assistance you can give me in procuring this or any other material information on the subject will be very thankfully received. My distance from the evidence of persons acquainted with the transaction render-

Digitized by Google

ing it impracticable for me to obtain it otherwise than by the aid of my friends. I would also ask to receive it by or before the month of December. I should not have taken the liberty of troubling you, but as you have been so kind as to offer your aid. Mr. Volney on his return spoke with great acknolegements of your kind civilities, for which accept my thanks also. I am sure you found him entirely worthy of them. I receive with great sensibility the assurances of your esteem. These sentiments from men of worth, of reflection & of pure attachment to republican government are my consolation against the calumnies of which it has suited certain writers to make me the object. Under these I hope I shall never bend; & that man may at length find favor with heaven & his present struggles issue in the recovery & establishment of his moral & political rights will be the prayer of my latest breath. Accept assurances of the sincere esteem & respect of dear Sir of your most obedient & most humble servant.

TO EDMUND RANDOLPH. J. MSS.

MONTICELLO, Aug. 18, 99.

DEAR SIR,—I received only two days ago your favor of the 12th, and as it was on the eve of the return of our post, it was not possible to make so prompt a despatch of the answer. Of all the doctrines which have ever been broached by the federal government, the novel one, of the common law being in force & cognizable as an existing law in their

Digitized by Google

courts, is to me the most formidable. All their other assumptions of un-given powers have been in the detail. The bank law, the treaty doctrine, the sedition act, alien act, the undertaking to change the state laws of evidence in the state courts by certain parts of the stamp act, &c., &c., have been solitary, unconsequential, timid things, in comparison with the audacious, barefaced and sweeping pretension to a system of law for the U S, without the adoption of their legislature, and so infinitively beyond their power to adopt. If this assumption be yielded to, the state courts may be shut up, as there will then be nothing to hinder citizens of the same state suing each other in the federal courts in every case, as on a bond for instance, because the common law obliges payment of it, & the common law they say is their law.. I am happy you have taken up the subject; & I have carefully perused & considered the notes you enclosed, and find but a single paragraph which I do not approve. It is that wherein (page 2.) you say, that laws being emanations from the legislative department, &, when once enacted, continuing in force from a presumption that their will so continues, that that presumption fails & the laws of course fall, on the destruction of that legislative department. I do not think this is the true bottom on which laws & the administering them rest. The whole body of the nation is the sovereign legislative, judiciary and executive power for itself. The inconvenience of meeting to exercise these powers in person, and their inaptitude to exercise them, induce them to appoint

Digitized by Google

special organs to declare their legislative will, to judge & to execute it. It is the will of the nation which makes the law obligatory; it is their will which creates or annihilates the organ which is to declare & announce it. They may do it by a single person, as an Emperor of Russia, (constituting his declarations evidence of their will,) or by a few persons, as the Aristocracy of Venice, or by a complication of councils, as in our former regal government, or our present republican one. The law being law because it is the will of the nation, is not changed by their changing the organ through which they chuse to announce their future will; no more than the acts I have done by one attorney lose their obligation by my changing or discontinuing that attorney. This doctrine has been, in a certain degree sanctioned by the federal executive. For it is precisely that on which the continuance of obligation from our treaty with France was established, and the doctrine was particularly developed in a letter to Gouverneur Morris, written with the approbation of President Washington and his cabinet. Mercer once prevailed on the Virginia Assembly to declare a different doctrine in some resolutions. These met universal disapprobation in this, as well as the other States, and if I mistake not, a subsequent Assembly did something to do away the authority of their former unguarded resolutions. In this case, as in all others, the true principle will be quite as effectual to establish the just deductions, for before the revolution, the nation of Virginia had, by the organs they then thought proper to constitute,

Digitized by Google

established a system of laws, which they divided into three denominations of 1, common law; 2, statute law; 3, Chancery: or if you please, into two only, of 1, common law; 2, Chancery. When, by the declaration of Independence, they chose to abolish their former organs of declaring their will, the acts of will already formally & constitutionally declared, remained untouched. For the nation was not dissolved, was not annihilated; it's will, therefore, remained in full vigor; and on the establishing the new organs, first of a convention, & afterwards a more complicated legislature, the old acts of national will continued in force, until the nation should, by its new organs, declare it's will changed. The common law, therefore, which was not in force when we landed here, nor till we had formed ourselves into a nation, and had manifested by the organs we constituted that the common law was to be our law, continued to be our law, because the nation continued in being, & because though it changed the organs for the future declarations of its will, yet it did not change its former declarations that the common law was it's law. Apply these principles to the present case. Before the revolution there existed no such nation as the U S; they then first associated as a nation, but for special purposes only. They had all their laws to make, as Virginia had on her first establishment as a nation. But they did not, as Virginia had done, proceed to adopt a whole system of laws ready made to their hand. As their association as a nation was only for special purposes, to wit, for the management of their concerns

Digitized by Google

with one another & with foreign nations, and the states composing the association chose to give it powers for those purposes & no others, they could not adopt any general system, because it would have embraced objects on which this association had no right to form or declare a will. It was not the organ for declaring a national will in these cases. In the cases confided to them, they were free to declare the will of the nation, the law; but till it was declared there could be no law. So that the common law did not become, ipso facto, law on the new association; it could only become so by a positive adoption, & so far only as they were authorized to adopt.

I think it will be of great importance, when you come to the proper part, to portray at full length the consequences of this new doctrine, that the common law is the law of the U S, & that their courts have, of course, jurisdiction co-extensive with that law, that is to say, general over all cases & persons. But, great heavens! Who could have conceived in 1789 that within ten years we should have to combat such windmills. Adieu. Yours affectionately.

TO JAMES MADISON. J. MSS.

MONTICELLO Aug. 23, 99,

With this you will receive the IV^{d} nails desired in your memorandum, that is to say 25. lb weighing about to the lb. Probably they yield something more than a thousand to that weight, not being so uniform as they ought to be. We are now working up some

Digitized by Google

remnants of hoops of different breadths till the arrival of a supply of proper size from Philadelphia. They are 1/3 per pound consequently come cheap. The error in the nails sent before was as I entered the memorandum in my book from his dictation and he saw them weighed out according to that.

Mrs. Madison will see that Lumsden your plasterer, lives about 10. or 15. miles from you & that an opportunity may perhaps be found of conveying him a letter. I trouble you with one, open, which when read be so good as to seal & forward by any opportunity you approve.

I inclose you a letter I received from Colo. Nicholas three days ago. It is so advantageous that Virginia & Kentucky should pursue the same track on this occasion & a difference of plan would give such advantage to the Consolidationers that I would immediately see you at your own house, but that we have a stranger [*illegible*] whose state has been very critical & who would suffer in spirits at least very substantially by my absence. I shall not answer [*illegible*] but the opportunity is certainly a valuable one for producing a concert of action. I will in the mean time give you my ideas on reflection. That the principles already advanced by Virginia & Kentucky are not to be yielded in silence I presume we all agree. I would propose a declaration or resolution by their legislatures on the plan. 1st. answer this reasoning: if such of the states as have ventured into the field of reason, & that of the comm [*illegible*].[1]

[1] See page 390, *post*, for the evident text lacking here.

Digitized by Google

TO WILSON C. NICHOLAS.

MONTICELLO, Aug. 26, 99.

DEAR SIR,—I am deeply impressed with the importance of Virginia & Kentucky pursuing the same track at the ensuing sessions of their legislatures. Your going thither furnishes a valuable opportunity of effecting it, and as mr. Madison will be at our assembly as well as yourself, I thought it important to procure a meeting between you. I therefore wrote you to propose to him to ride to this place on Saturday or Sunday next; supposing that both he and yourself might perhaps have some matter of business at our court, which might render it less inconvenient for you to be here together on Sunday. I took for granted that you would not set off to Kentuckey pointedly at the time you first proposed, and hope and strongly urge your favoring us with a visit at the time proposed. Mrs. Madison, who was the bearer of my letter, assured me I might count on mr. M.'s being here. Not that I mentioned to her the object of my request, or that I should propose the same to you, because, I presume, the less said of such a meeting the better. I shall take care that Monroe shall dine with us. In hopes of seeing you, I bid you affectionately adieu.

TO WILSON C. NICHOLAS.

MONTICELLO, Sep. 5, 99.

DEAR SIR,—Yours of Aug. 30th 99 came duly to hand. It was with great regret we gave up the hope of seeing you here, but could not but consider the

Digitized by Google

obstacle as legitimate. I had written to mr. M. as I had before informed you, and had stated to him some general ideas for consideration & consultation when we should meet. I thought something essentially necessary to be said, in order to avoid the inference of acquiescence; that a resolution or declaration should be passed, 1, answering the reasonings of such of the states as have ventured into the field of reason, & that of the Committee of Congress, taking some notice too of those states who have either not answered at all, or answered without reasoning. 2, making firm protestation against the precedent & principle, & *reserving* the right to make this palpable violation of the federal compact the ground of doing in future whatever we might now rightfully do, should repetitions of these and other violations of the compact render it expedient. 3, expressing in affectionate & conciliatory language our warm attachment to union with our sister states, & to the instrument & principles by which we are united; that we are willing to sacrifice to this everything but the rights of self-government in those important points which we have never yielded, & in which alone we see liberty, safety, & happiness; that not at all disposed to make every measure of error or of wrong, a cause of scission, we are willing to look on with indulgence, & to wait with patience till those passions & delusions shall have passed over, which the federal government have artfully excited to cover its own abuses & conceal it's designs, fully confident that the good sense of the American people, and their attachment to those very

Digitized by Google

rights which we are now vindicating, will, before it shall be too late, rally with us round the true principles of our federal compact. This was only meant to give a general idea of the complexion & topics of such an instrument. Mr. M. who came, as had been proposed, does not concur in the *reservation* proposed above; and from this I recede readily, not only in deference to his judgment, but because as we should never think of separation but for repeated and enormous violations, so these, when they occur, will be cause enough of themselves.

To these topics, however, should be added animadversions on the new pretensions to a *common law* of the U. S. I proposed to mr. M. to write to you, but he observed that you knew his sentiments so perfectly from a former conference, that it was unnecessary. As to the preparing anything, I must decline it, to avoid suspicions (which were pretty strong in some quarters on the last occasion), and because there remains still (after their late loss) a mass of talents in Kentucky sufficient for every purpose. The only object of the present communication is to procure a concert in the general plan of action, [as it is extremely desirable that Virginia and Kentucky should pursue the same track on this occasion.][1] Besides, how could you better while away the road from hence to Kentucky, than in meditating this very subject, and preparing something yourself, than whom nobody will do it better. The loss of your brother, and the visit of the apostle Marshal to Kentucky, excite anxiety,

[1] Part in brackets not in letter press copy.

Digitized by Google

However, we doubt not that his poisons will be effectually counterworked. Wishing you a pleasant journey & happy return, I am with great and sincere esteem, dear Sir, your affectionate friend & servant.

TO JAMES THOMSON CALLENDER.[1]

MONTICELLO, Sept. 6, '99.

SIR,—By a want of arrangement in a neighbouring post-office during the absence of the postmaster, my letters and papers for two posts back were detained. I suppose it was owing to this that your letter tho' dated Aug. 10. did not get to my hand till the last day of the month, since which this is the first day I can through the post office acknowledge the receipt of it. Mr. Jefferson happens to be here and directs his agent to call on you with this and pay you 50 dollars, on account of the book you are about to publish. When it shall be out be so good as to send me 2. or 3. copies, and the rest only when I shall ask for them.

The violence which was meditated against you lately has excited a very general indignation in this part of the country. Our state from it's first plantation has been remarkable for it's order and submission to the laws. But three instances are recollected in it's history of an organized opposition to the laws. The first was Bacon's Rebellion ; the 2d. our revolution ; the 3d. the Richmond association who, by their committee, have in the public papers avowed their purpose of taking out of the hands of the law the

[1] From the *New York Evening Post*, Oct. 11, 1802.

Digitized by Google

function of declaring who may or may not have free residence among us. But these gentlemen miscalculate the temper and force of this country extremely if they supposed there would have been a want of either to support the authority of the laws: and equally mistake their own interests in setting the example of club-law. Whether their self-organized election of a committee, and publication of their manifesto, be such overt acts as bring them within the pale of law; the law I presume is to decide: and there it is our duty to leave it. The delivery of Robbins to the British excites much feeling and enquiry here. With every wish for your welfare I am with great regard sir Your most obedient servt.

TO JAMES THOMSON CALLENDER.[1]

MONTICELLO, Oct. 6, 99.

SIR,—On receiving your favor of Sept. 29, I did believe it would be in my power to answer you satisfactorily on both the points on which you asked information. I knew indeed that I had not made any particular memorandum of the sum which the C' de Vergennes supposed a treaty with the Porte would cost; but I expect that I had mentioned it either in my letter on the subject to Mr. Jay, or in that to Mr. Adams my colleague in the Barbary negociations. After a very long search yesterday I found both letters, but in neither have I stated any particular sum. They are of May 1786, and only say generally that in

[1] From the *New York Evening Post*, Oct. 11, 1802.

Digitized by Google

a conversation with the Ct. de Vergennes on the subject, he said that a treaty with the Porte would cost us *a great deal* of money, as great presents are expected at that court, and a great many claim them; and that we should not buy a peace one penny the cheaper at Algiers; that the Algerines did indeed acknowledge a certain dependence on the Porte, and availed themselves of it whenever any thing was to be gained by it, but disregarded it when it subjected them to any demand: and that at Algiers there were but too [sic] agents, money and fear. This is the statement in those letters, and my memory does not enable me to fix any particular sum having been named by him; but only generally that it was very far beyond any thing then at our command.—All who were members of Congress in 1786. may be supposed to remember this information, and if it could be understood to come to you through some such channel, it would save the public from reading all the blackguardism which would be vented on me were I quoted; not that this would weigh an atom with me, on any occasion where my avowal of either facts or opinions would be of public use; but whenever it will not, I then think it useful to keep myself out of the way of calumny.

On the other point I can be more certain. Georgia, N. Carolina, Tennessee, Kentucky, Virginia, Maryland and Pennsylvania choose their electors by the people directly. In Massachusetts the choice is, first by the people in districts: But if a candidate had not a majority of all the qualified voters of the district; it

Digitized by Google

devolves on the legislature to appoint the elector for that district, besides, as they have but 14. districts (laid off for some state purpose) and are entitled to 16. electors, the legislature name the two extra ones in the first instance. Again, if any of those elected either by the people or legislature die, or decline to act, the residue of the electors fill up the vacancies themselves. In this way the people of Massachus. chose 7. electors on the last occasion, and the legislature 9. In New Hamp. Rho. Isld. Connec. Vermont, New-York, Jersey, Delaware and South Carolina, the legislature name electors. My information is good as to all these particulars except N. Hampshire and Connecticut: and as to them I think I am right; but speaking only from memory it should be further ascertained before asserted. I thank you for the proof sheets you inclosed me. Such papers cannot fail to produce the best effect. They inform the thinking part of the nation; and these again, supported by the taxgatherers as their vouchers, set the people to rights. You will know from whom this comes without a signature: the omission of which has rendered almost habitual with me by the curiosity of the post offices. Indeed a period is now approaching during which I shall discontinue writing letters as much as possible, knowing that every snare will be used to get hold of what may be perverted in the eyes of the public.

Digitized by Google

TO STEPHEN THOMPSON MASON. J. MSS.

MONTICELLO, Oct. 27, 1799.

DEAR SIR,—Your favor by Mr. Craven has been duly received, and I am very thankful for your attention to the subject of my former letter. It is one I have very much at heart, for I find I am not fit to be a farmer with the kind of labour we have, & also subject to such long avocation. Mr. Craven had thought too much of the raspberry plains to be satisfied with our mountainous country; however, although we have not come to an absolute engagement, yet he departs under an expectation of deciding to return, & to decide others to come. I have shewn him 800. acres of enclosed & cultivated lands, which I release in such parcels as the tenants desire. Before he arrived, I had leased 160. acres to a very good man, being afraid to lose the offer under the uncertainty whether I might get others.

I sincerely congratulate you on the success of McKean's election & I hope the Pennsylvania republicans have been as successful in the election of the members of their legislature. Such a state as that harmonizing by its public authorities with those to the south, would command respect to the Federal constitution. Still we must place at the distance of at least two years that reformation in the public proceedings which depends on the character of Congress. That now coming into the exercise of authority affords no hope. The misfortune of the French would probably produce at the next session still greater intolerance than we have hitherto experienced, did not the

Digitized by Google

insolences of the English keep their votaries here in check for us. The public mind in the middle states, from every information I receive, has very much regenerated in principles of Whiggism. In this part of our state some symptoms of waivering which had appeared in certain places, have again become firm, or are fast returning to that state: always excepting however that gangrene which spreads from the public functionaries great & small, proceeding from the canker of interest. I am with great & sincere affection Dear Sir, your friend & servant.

TO CHARLES PINCKNEY. J. MSS.

MONTICELLO, Oct. 29. 99.

DEAR SIR,—Your favor of Sept. 12. came to hand on the 3d inst. I have delayed acknoledging it in hopes of receiving the longer one you mentioned to have written, but that has not yet reached me. I was both pleased & edified by the piece on Robbins case. It ought to be a very serious case to the judge. I think no one circumstance since the establishment of our government has affected the popular mind more. I learn that in Pennsylvania it had a great effect. I have no doubt the piece you enclosed will run through all the republican papers, & carry the question home to every man's mind. The success of McKean's election is a subject of real congratulation & hope. The majority by which he carried it is not yet known here, but it must have been very great. We have also to expect that the same spirit which prevailed &

Digitized by Google

shewed itself so strongly on that vote, has been equally efficacious in the election of their legislature. Could a republican legislature in Pennsylvania be once added to those south of the Potomac, it would command more respect to our constitution. I consider all the encroachments made on that heretofore as nothing, as mere retail stuff compared with the wholesale doctrine, that there is a common law in force in the U. S. of which & of all the cases within its provisions their courts have cognizance. It is complete consolidation. Ellsworth & Iredell have openly recognized it. Washington has squinted at it, & I have no doubt it has been decided to cram it down our throats. In short it would seem that changes in the principles of our government are to be pushed till they accomplish a monarchy peaceably, or force a resistance which with the aid of an army may end in monarchy. Still I hope that this will be peaceably prevented by the eyes of the people being opened & the consequent effect of the elective principle. This is certainly taken place in the middle states. The late misfortunes of France would probably render the consolidationers more enterprising & more intolerant than ever at the next session of Congress, were they not held in check by the British aggressions. You flatter us with the possibility of coming on by land & taking this in your route. Nothing could be more pleasing to me as it will be to Colo. Monroe & mr. Madison. Our legislature meets on the same day with Congress consequently mr. Madison's motions will be affected accordingly. I

Digitized by Google

wish I knew enough of the roads to recommend the best route to you, but I am unacquainted with them, except so far as to observe that if you come by Halifax the direct line thence would be Brunswick, Amelia, Lile's ford Appomatox & Columbia at the fork of James river, from whence the road hither is good, except the last 8. or 10. miles. Our friend Mason, from whom I lately recd a letter, is well. Wilson C. Nicholas will be his collegue Tazewell, & Monroe will probably be the governor. Notwithstanding the unaccountable event of some of the Congressional elections in April last those for the state legislature will have made that body still more republican than it was. I hope So. Carolina is recovering from the delusion which affected their last election. Accept assurances of the sincere esteem of dear sir, &c.

P. S. I shall not frank my letter lest it should awake the curiosity of the post offices.

TO JAMES MADISON. ED. OF 1829.

MONTICELLO, November 22, 1799.

DEAR SIR,—I have never answered your letter by Mr. Polk, because I expected to have paid you a visit. This has been prevented by various causes, till yesterday. That being the day fixed for the departure of my daughter Eppes, my horses were ready for me to have set out to see you: an accident postponed her departure to this day, and my visit also. But Colonel Monroe dined with me yesterday, and on my

Digitized by Google

asking his commands for you, he entered into the subject of the visit and dissuaded it entirely, founding the motives on the *espionage* of the little * * * in * * * * who would make it a subject of some political slander, and perhaps of some political injury. I have yielded to his representations, and therefore shall not have the pleasure of seeing you till my return from Philadelphia. I regret it sincerely, not only on motives of attention but of affairs. Some late circumstances changing considerably the aspect of our situation, must affect the line of conduct to be observed. I regret it the more too, because from the commencement of the ensuing session, I shall trust the post offices with nothing confidential, persuaded that during the ensuing twelve months they will lend their inquisitorial aid to furnish matter for newspapers. I shall send you as usual printed communications, without saying anything confidential on them. You will of course understand the cause.

In your new station [1] let me recommend to you the jury system: as also the restoration of juries in the court of chancery, which a law not long since repealed, because "the trial by jury is troublesome and expensive." If the reason be good, they should abolish it at common law also. If Peter Carr is elected in the room of * * * he will undertake the proposing this business, and only need your support. If he is not elected, I hope you will get it done otherwise. My best respects to Mrs. Madison, and affectionate salutations to yourself.

[1] The Legislature of Virginia.

Digitized by Google

TO JAMES MONROE. J. MSS.

PHILADELPHIA, January 12, 1800.

Yours of Jan. 4. was received last night. I had then no expectation of any opportunity of communicating to you confidentially information of the state of opinions here; but I learn to-night that two mr. Randolphs will set out to-morrow morning for Richmond. If I can get this into their hands I shall send it, otherwise it may wait long. On the subject of an election by a general ticket, or by districts, most persons here seem to have made up their minds. All agree that an election by districts would be best, if it could be general; but while 10 states chuse either by their legislatures or by a general ticket, it is folly & worse than folly for the other 6. not to do it. In these 10. states the minority is entirely unrepresented; & their majorities not only have the weight of their whole state in their scale, but have the benefit of so much of our minorities as can succeed at a district election. This is, in fact, ensuring to our minorities the appointment of the government. To state it in another form; it is merely a question whether we will divide the U S into 16. or 137. districts. The latter being more chequered, & representing the people in smaller sections, would be more likely to be an exact representation of their diversified sentiments. But a representation of a part by great, & a part by small sections, would give a result very different from what would be the sentiment of the whole people of the U S, were they assembled together. I have today had a conversation with 113.[1] who has taken a

[1] Burr.

Digitized by Google

flying trip here from N Y. He says, they have really now a majority in the H of R, but for want of some skilful person to rally round, they are disjointed, & will lose every question. In the Senate there is a majority of 8. or 9. against us. But in the new election which is to come on in April, three or 4. in the Senate will be changed in our favor; & in the H of R the county elections will still be better than the last; but still all will depend on the city election, which is of 12. members. At present there would be no doubt of our carrying our ticket there; nor does there seem to be time for any events arising to change that disposition. There is therefore the best prospect possible of a great & decided majority on a joint vote of the two houses. They are so confident of this, that the republican party there will not consent to elect either by districts or a general ticket. They chuse to do it by their legislature. I am told the republicans of N J are equally confident, & equally anxious against an election either by districts or a general ticket. The contest in this State will end in a separation of the present legislature without passing any election law, (& their former one is expired), and in depending on the new one, which will be elected Oct 14. in which the republican majority will be more decided in the Representatives, & instead of a majority of 5. against us in the Senate, will be of 1. for us. They will, from the necessity of the case, chuse the electors themselves. Perhaps it will be thought I ought in delicacy to be silent on this subject. But you, who know me, know that my private gratifications would be most

Digitized by Google

indulged by that issue, which should leave me most at home. If anything supersedes this propensity, it is merely the desire to see this government brought back to it's republican principles. Consider this as written to mr. Madison as much as yourself; & communicate it, if you think it will do any good, to those possessing our joint confidence, or any others where it may be useful & safe. Health & affectionate salutations.

TO MARY JEFFERSON EPPES.[1]

PHILADELPHIA, Jan. 17th, 1800.

MY DEAR MARIA,—I received at Monticello two letters from you, and meant to have answered them a little before my departure for this place; but business so crowded upon me at that moment that it was not in my power. I left home on the 21st, and arrived here on the 28th of December, after a pleasant journey of fine weather and good roads, and without having experienced any inconvenience. The Senate had not yet entered into business, and I may say they have not yet entered into it; for we have not occupation for half an hour a day. Indeed, it is so apparent that we have nothing to do but to raise money to fill the deficit of five millions of dollars, that it is proposed we shall rise about the middle of March; and as the proposition comes from the Eastern members, who have always been for sitting permanently, while the Southern are constant for early adjournment, I

[1] From S. N. Randolph's *Domestic Life of Jefferson.*

Digitized by Google

presume we shall rise then. In the meanwhile, they are about to renew the bill suspending intercourse with France, which is in fact a bill to prohibit the exportation of tobacco, and to reduce the tobacco States to passive obedience by poverty.

J. Randolph has entered into debate with great splendor and approbation. He used an unguarded word in his first speech, applying the word "ragmuffin" to the common soldiery. He took it back of his own accord, and very handsomely, the next day, when he had occasion to reply. Still, in the evening of the second day, he was jostled, and his coat pulled at the theatre by two officers of the Navy, who repeated the word "ragmuffin." His friends present supported him spiritedly, so that nothing further followed. Conceiving, and, as I think, justly, that the House of Representatives (not having passed a law on the subject) could not punish the offenders, he wrote a letter to the President, who laid it before the House, where it is still depending. He has conducted himself with great propriety, and I have no doubt will come out with increase of reputation, being determined himself to oppose the interposition of the House when they have no law for it.

M. du Pont, his wife and family, are arrived at New York, after a voyage of three months and five days. I suppose after he is a little recruited from his voyage we shall see him here. His son is with him, as is also his son-in-law Bureau Pusy, the companion and fellow sufferer of Lafayette. I have a letter from Lafayette of April; he then expected to sail

Digitized by Google

for America in July, but I suspect he awaits the effect of the mission of our ministers. I presume that Madame de Lafayette is to come with them, and that they mean to settle in America.

The prospect of returning early to Monticello is to me a most charming one. I hope the fishery will not prevent your joining us early in the spring. However, on this subject we can speak together, as I will endeavor, if possible, to take Mont Blanco and Eppington in my way.

A letter from Dr. Carr, of December 27, informed me he has just left you well. I become daily more anxious to hear from you, and to know that you continue well, your present state being one which is most interesting to a parent; and its issue, I hope, will be such as to give you experience what a parent's anxiety may be. I employ my leisure moments in repassing often in my mind our happy domestic society when together at Monticello, and looking forward to the renewal of it. No other society gives me now any satisfaction, as no other is founded in sincere affection. Take care of yourself, my dear Maria, for my sake, and cherish your affections for me, as my happiness rests solely on yours, and on that of your sister's and your dear connections. Present me affectionately to Mr. Eppes, to whom I enclosed some pamphlets some time ago without any letter; as I shall write no letters the ensuing year for political reasons which I explained to him. Present my affections also to Mrs. and Mr. Eppes, Senior, and all the family, for whom I feel every interest that I do for my own. Bé

Digitized by Google

assured yourself, my dear, of my most tender and constant love. Adieu. Yours affectionately and forever.

TO JOSEPH PRIESTLEY. J. MSS.

PHILADELPHIA, Jan. 18, 1800.

DEAR SIR,—I have to thank you for the pamphlets you were so kind as to send me. You will know what I thought of them by my having before sent a dozen sets to Virginia to distribute among my friends. Yet I thank you not the less for these, which I value the more as they came from yourself. The stock of them which Campbell had was, I believe, exhausted the first or second day of advertising them. The Papers of political arithmetic, both in your & Mr. Cooper's pamphlets, are the most precious gifts that can be made to us; for we are running navigation mad, & commerce mad, & navy mad, which is worst of all. How desirable is it that you could pursue that subject for us. From the Porcupines of our country you will receive no thanks; but the great mass of our nation will edify & thank you. How deeply have I been chagrined & mortified at the persecutions which fanaticism & monarchy have excited against you, even here! At first I believed it was merely a continuance of the English persecution. But I observe that on the demise of Porcupine & division of his inheritance between Fenno & Brown, the latter (tho' succeeding only to the *federal* portion of Porcupinism, not the *Anglican*, which is Fenno's part) serves up for the palate of his sect, dishes of abuse against you as high

Digitized by Google

seasoned as Porcupine's were. You have sinned against church & king, & can therefore never be forgiven. How sincerely have I regretted that your friend, before he fixed his choice of a position, did not visit the vallies on each side of the blue ridge in Virginia, as Mr. Madison & myself so much wished. You would have found there equal soil, the finest climate & most healthy one on the earth, the homage of universal reverence & love, & the power of the country spread over you as a shield. But since you would not make it your country by adoption, you must now do it by your good offices. I have one to propose to you which will produce their good, & gratitude to you for ages, and in the way to which you have devoted a long life, that of spreading light among men.

We have in that state a college (Wm. & Mary) just well enough endowed to draw out the miserable existence to which a miserable constitution has doomed it. It is moreover eccentric in it's position, exposed to bilious diseases as all the lower country is, & therefore abandoned by the public care, as that part of the country itself is in a considerable degree by it's inhabitants. We wish to establish in the upper & healthier country, & more centrally for the state, an University on a plan so broad & liberal & *modern*, as to be worth patronizing with the public support, and be a temptation to the youth of other states to come and drink of the cup of knowledge & fraternize with us. The first step is to obtain a good plan; that is, a judicious selection of the sciences, & a practicable

Digitized by Google

grouping of some of them together, & ramifying of others, so as to adapt the professorships to our uses & our means. In an institution meant chiefly for use, some branches of science, formerly esteemed, may be now omitted; so may others now valued in Europe, but useless to us for ages to come. As an example of the former, the oriental learning, and of the latter, almost the whole of the institution proposed to Congress by the Secretary of war's report of the 5th inst. Now there is no one to whom this subject is so familiar as yourself. There is no one in the world who, equally with yourself, unites this full possession of the subject with such a knowledge of the state of our existence, as enables you to fit the garment to him who is to *pay* for it & to *wear* it. To you therefore we address our solicitations, and to lessen to you as much as possible the ambiguities of our object, I will venture even to sketch the sciences which seem useful & practicable for us, as they occur to me while holding my pen. Botany, Chemistry, Zoology, Anatomy, Surgery, Medicine, Natl Philosophy, Agriculture, Mathematics, Astronomy, Geology, Geography, Politics, Commerce, History, Ethics, Law, Arts, Finearts. This list is imperfect because I make it hastily, and because I am unequal to the subject. It is evident that some of these articles are too much for one professor & must therefore be ramified; others may be ascribed in groups to a single professor. This is the difficult part of the work, & requires a head perfectly knowing the extent of each branch, & the limits within which it may be circumscribed, so as

Digitized by Google

to bring the whole within the powers of the fewest professors possible, & consequently within the degree of expence practicable for us. We should propose that the professors follow no other calling, so that their whole time may be given to their academical functions; and we should propose to draw from Europe the first characters in science, by considerable temptations, which would not need to be repeated after the first set should have prepared fit successors & given reputation to the institution. From some splendid characters I have received offers most perfectly reasonable & practicable.

I do not propose to give you all this trouble merely of my own head, that would be arrogance. It has been the subject of consultation among the ablest and highest characters of our State, who only wait for a plan to make a joint & I hope successful effort to get the thing carried into effect. They will receive your ideas with the greatest deference & thankfulness. We shall be here certainly for two months to come; but should you not have leisure to think of it before Congress adjourns, it will come safely to me afterwards by post, the nearest post office being Milton.

Will not the arrival of Dupont tempt you to make a visit to this quarter? I have no doubt the alarmists are already whetting their shafts for him also, but their glass is nearly run out, and the day I believe is approaching when we shall be as free to pursue what is true wisdom as the effects of their follies will permit; for some of them we shall be forced to wade through because we are emerged in them.

Digitized by Google

Wishing you that pure happiness which your pursuits and circumstances offer, and which I am sure you are too wise to suffer a diminution of by the pigmy assaults made on you, and with every sentiment of affectionate esteem & respect, I am, dear Sir, your most humble, and most obedient servant.

TO MARTHA JEFFERSON RANDOLPH.[1]

PHILADELPHIA, Jan. 21st, 1800.

I am made happy by a letter from Mr. Eppes, informing me that Maria was become a mother, and was well. It was written the day after the event. These circumstances are balm to the painful sensations of this place. I look forward with hope to the moment when we are all to be reunited again. I inclose a little tale for Annie. To Ellen you must make big promises, which I know a bit of gingerbread will pay off. Kiss them all for me. My affectionate salutations to Mr. Randolph, and tender and increasing love to yourself. Adieu, my dear Martha. Affectionately yours, etc.

TO HARRY INNES. J. MSS.

PHILADELPHIA, Jan 23, 1800.

DEAR SIR,—Your favor of Dec 6 I received here on the 30th of same month, and have to thank you for the papers it contained. They serve to prove that if Cressap was not of the party of Logan's mur-

[1] From S. N. Randolph's *Domestic Life of Jefferson.*

Digitized by Google

derers, yet no injury was done his character by believing it. I shall, while here this winter, publish such material testimony on the subject as I have received; which by the kindness of my friends will be amply sufficient. It will appear that the deed was generally imputed to Cressap by both whites & Indians, that his character was justly stained with their blood, perhaps that he ordered this transaction, but that he was not himself present at the time. I shall consequently make a proper change in the text of the Notes on Virginia, to be adopted, if any future edition of that work should be printed.

With respect to the judiciary district to be established for the Western states, nothing can be wilder than to annex to them any state on the Eastern waters. I do not know what may be the dispositions of the House of Representatives on that subject, but I should hope from what I recollect of those manifested by the Senate on the same subject at the former session, that they may be induced to set off the Western country in a distinct district. And I expect that the reason of the thing must bring both houses into the measure.

The Mississippi territory has petitioned to be placed at once in what is called the second stage of government. Surely, such a government as the first form prescribed for the territories is a despotic oligarchy without one rational object.

I had addressed the enclosed letters to the care of the postmaster at Louisville; but not knowing him, I have concluded it better to ask the favor of

Digitized by Google

you to avail them of any passage which may offer down the river. I presume the boats stop of course at those places.

We have wonderful rumors here at this time. One that the king of England is dead. As this would ensure a general peace, I do not know that it would be any misfortune to humanity. The other is that Buonaparte, Sieyes & Ducos have usurped the French government. This is *West-India* news, and shews that after killing Buonaparte a thousand times, they have still a variety of parts to be acted by him. Were it really true——. While I was writing the last word a gentleman enters my room and brings a confirmation that something has happened at Paris. This is arrived at New York by a ship from Corke. The particulars differ from the West India account. We are therefore only to believe that a revolution of some kind has taken place, & that Buonaparte is at the head of it, but what are the particulars & what the object, we must wait with patience to learn. In the meantime we may speak hypothetically. If Buonaparte declares for royalty, either in his own person, or of Louis XVIII., he has but a few days to live. In a nation of so much enthusiasm, there must be a million of Brutuses who will devote themselves to death to destroy him. But, without much faith in Buonaparte's heart, I have so much in his head, as to indulge another train of reflection. The republican world has been long looking with anxiety on the two experiments going on of a *single* elective Executive here, & a *plurality* there. Opinions have been considerably

Digitized by Google

divided on the event in both countries. The greater opinion there has seemed to be heretofore in favor of a plurality, here it has been very generally, tho not universally, in favor of a single elective Executive. After 8. or 9. years' experience of perpetual broils & factions in their Directory, a standing division (under all changes) of 3. against 2., which results in a government by a single opinion, it is possible they may think the experiment decided in favor of our form, & that Buonaparte may be for a single executive, limited in time & power, & flatter himself with the election to that office; & that to this change the nation may rally itself; perhaps it is the only one to which all parties could be rallied. In every case it is to be feared & deplored that that nation has yet to wade through half a century of disorder & convulsions. These, however, are conjectures only, which you will take as such, and accept assurances of the great esteem & attachment of, dear Sir, your friend and servant.

TO JOSEPH PRIESTLEY. J. MSS.

PHILADELPHIA, Jan 27, 1800.

DEAR SIR,—In my letter of the 18th, I omitted to say any thing of the languages as part of our proposed university. It was not that I think, as some do, that they are useless. I am of a very different opinion. I do not think them essential to the obtaining eminent degrees of science; but I think them very useful towards it. I suppose there is a portion of life during which our faculties are ripe enough for

Digitized by Google

this, & for nothing more useful. I think the Greeks & Romans have left us the present models which exist of fine composition, whether we examine them as works of reason, or of style & fancy; and to them we probably owe these characteristics of modern composition. I know of no composition of any other antient people, which merits the least regard as a model for it's matter or style. To all this I add, that to read the Latin & Greek authors in their original, is a sublime luxury; and I deem luxury in science to be at least as justifiable as in architecture, painting, gardening, or the other arts. I enjoy Homer in his own language infinitely beyond Pope's translation of him, & both beyond the dull narrative of the same events by Dares Phrygius; & it is an innocent enjoyment. I thank on my knees, him who directed my early education, for having put into my possession this rich source of delight; and I would not exchange it for anything which I could then have acquired, & have not since acquired. With this regard for those languages, you will acquit me of meaning to omit them. About 20. years ago, I drew a bill for our legislature, which proposed to lay off every county into hundreds or townships of 5. or 6. miles square, in the centre of each of which was to be a free English school; the whole state was further laid off into 10. districts, in each of which was to be a college for teaching the languages, geography, surveying, and other useful things of that grade; and then a single University for the sciences. It was received with enthusiasm; but as I had proposed that Wm & Mary, under an

Digitized by Google

improved form, should be the University, & that was at that time pretty highly Episcopal, the dissenters after a while began to apprehend some secret design of a preference to that sect and nothing could then be done. About 3. years ago they enacted that part of my bill which related to English schools, except that instead of obliging, they left it optional in the court of every county to carry it into execution or not. I think it probable the part of the plan for the middle grade of education, may also be brought forward in due time. In the meanwhile, we are not without a sufficient number of good country schools, where the languages, geography, & the first elements of Mathematics, are taught. Having omitted this information in my former letter, I thought it necessary now to supply it, that you might know on what base your superstructure was to be reared. I have a letter from M. Dupont, since his arrival at N. York, dated the 20th, in which he says he will be in Philadelphia within about a fortnight from that time; but only on a visit. How much would it delight me if a visit from you at the same time, were to shew us two such illustrious foreigners embracing each other in my country, as the asylum for whatever is great & good. Pardon, I pray you, the temporary delirium which has been excited here, but which is fast passing away. The Gothic idea that we are to look backwards instead of forwards for the improvement of the human mind, and to recur to the annals of our ancestors for what is most perfect in government, in religion & in learning, is worthy of those bigots in religion & government,

Digitized by Google

by whom it has been recommended, & whose purposes it would answer. But it is not an idea which this country will endure; and the moment of their showing it is fast ripening; and the signs of it will be their respect for you, & growing detestation of those who have dishonored our country by endeavors to disturb our tranquility in it. No one has felt this with more sensibility than, my dear Sir, your respectful & affectionate friend & servant.

TO JOHN BRECKENRIDGE. J. MSS.

PHILADELPHIA, Jan 29, 1800.

DEAR SIR,—Your favor of the 13th has been duly received, as had been that containing the resolutions of your legislature on the subject of the former resolutions. I was glad to see the subject taken up, and done with so much temper, firmness and propriety. From the reason of the thing I cannot but hope that the Western country will be laid off into a separate Judiciary district. From what I recollect of the dispositions on the same subject at the last session, I should expect that the partiality to a general & uniform system would yield to geographical & physical impracticabilities. I was once a great advocate for introducing into chancery vivâ voce testimony, & trial by jury. I am still so as to the latter, but have retired from the former opinion on the information received from both your state & ours, that it worked inconveniently. I introduced it into the Virginia law, but did not return to the bar, so as to see how it an-

Digitized by Google

swered. But I do not understand how the viva voce examination comes to be practiced in the Federal court with you, & not in your own courts; the Federal courts being decided by law to proceed & decide by the laws of the states.

A great revolution has taken place at Paris. The people of that country having never been in the habit of self-government, are not yet in the habit of acknoleging that fundamental law of nature, by which alone self government can be exercised by a society, I mean the *lex majoris partis*. Of the sacredness of this law, our countrymen are impressed from their cradle, so that with them it is almost innate. This single circumstance may possibly decide the fate of the two nations. One party appears to have been prevalent in the Directory & council of 500. the other in the council of antients. Sieyes & Ducos, the minority in the Directory, not being able to carry their points there seem to have gained over Buonaparte, & associating themselves with the majority of the Council of antients, have expelled[1] 120. odd members the most obnoxious of the minority of the Elders, & of the majority of the council of 500. so as to give themselves a majority in the latter council also. They have established Buonaparte, Sieyes & Ducos into an executive, or rather Dictatorial consulate, given them a committee of between 20. & 30. from each council, & have adjourned to the 20th of Feb. Thus the Consti-

[1] 60. were expelled from the 500, so as to change the majority there to the other side. It seems doubtful whether any were expelled from the Antients. The majority there was already with the Consular party. *T. J.*

Digitized by Google

tution of the 3d year which was getting consistency & firmness from time is demolished in an instant, and nothing is said about a new one. How the nation will bear it is yet unknown. Had the Consuls been put to death in the first tumult & before the nation had time to take sides, the Directory & councils might have reestablished themselves on the spot. But that not being done, perhaps it is now to be wished that Buonaparte may be spared, as, according to his protestations, he is for liberty, equality & representative government, and he is more able to keep the nation together, & to ride out the storm than any other. Perhaps it may end in their establishing a single representative & that in his person. I hope it will not be for life, for fear of the influence of the example on our countrymen. It is very material for the latter to be made sensible that their own character & situation are materially different from the French; & that whatever may be the fate of republicanism there, we are able to preserve it inviolate here: we are sensible of the duty & expediency of submitting our opinions to the will of the majority and can wait with patience till they get right if they happen to be at any time wrong. Our vessel is moored at such a distance, that should theirs blow up, ours is still safe, if we will but think so.

I had recommended the enclosed letter to the care of the postmaster at Louisville; but have been advised it is better to get a friend to forward it by some of the boats. I will ask that favor of you. It is the duplicate of one with the same address which I in-

Digitized by Google

closed last week to mr. Innes & should therefore go by a different conveyance. I am with great esteem dear sir your friend & servant.

TO BISHOP JAMES MADISON. J. MSS.

PHILADELPHIA, Jan. 31, 1800.

DEAR SIR,—* * * I have lately by accident got a sight of a single volume (the 3d.) of the Abbe Barruel's 'Antisocial conspiracy,' which gives me the first idea I have ever had of what is meant by the Illuminatism against which 'illuminate Morse' as he is now called, & his ecclesiastical & monarchical associates have been making such a hue and cry. Barruel's own parts of the book are perfectly the ravings of a Bedlamite. But he quotes largely from Wishaupt whom he considers as the founder of what he calls the order. As you may not have had an opportunity of forming a judgment of this cry of 'mad dog' which has been raised against his doctrines, I will give you the idea I have formed from only an hour's reading of Barruel's quotations from him, which you may be sure are not the most favorable. Wishaupt seems to be an enthusiastic Philanthropist. He is among those (as you know the excellent Price and Priestley also are) who believe in the indefinite perfectibility of man. He thinks he may in time be rendered so perfect that he will be able to govern himself in every circumstance so as to injure none, to do all the good he can, to leave government no occasion to exercise their powers over him, & of course to render political government useless. This you know is Godwin's doctrine, and

Digitized by Google

this is what Robinson, Barruel & Morse had called a conspiracy against all government. Wishaupt believes that to promote this perfection of the human character was the object of Jesus Christ. That his intention was simply to reinstate natural religion, & by diffusing the light of his morality, to teach us to govern ourselves. His precepts are the love of god & love of our neighbor. And by teaching innocence of conduct, he expected to place men in their natural state of liberty & equality. He says, no one ever laid a surer foundation for liberty than our grand master, Jesus of Nazareth. He believes the Free masons were originally possessed of the true principles & objects of Christianity, & have still preserved some of them by tradition, but much disfigured. The means he proposes to effect this improvement of human nature are 'to enlighten men, to correct their morals & inspire them with benevolence. Secure of our success, sais he, we abstain from violent commotions. To have foreseen the happiness of posterity & to have prepared it by irreproachable means, suffices for our felicity. The tranquility of our consciences is not troubled by the reproach of aiming at the ruin or overthrow of states or thrones.' As Wishaupt lived under the tyranny of a despot & priests, he knew that caution was necessary even in spreading information, & the principles of pure morality. He proposed therefore to lead the Free masons to adopt this object & to make the objects of their institution the diffusion of science & virtue. He proposed to initiate new members into his body by gradations proportioned to his fears of the thunderbolts of tyranny. This has given

Digitized by Google

an air of mystery to his views, was the foundation of his banishment, the subversion of the masonic order, & is the colour for the ravings against him of Robinson, Barruel & Morse, whose real fears are that the craft would be endangered by the spreading of information, reason, & natural morality among men. This subject being new to me, I have imagined that if it be so to you also, you may receive the same satisfaction in seeing, which I have had in forming the analysis of it: & I believe you will think with me that if Wishaupt had written here, where no secrecy is necessary in our endeavors to render men wise & virtuous, he would not have thought of any secret machinery for that purpose. As Godwin, if he had written in Germany, might probably also have thought secrecy & mysticism prudent. I will say nothing to you on the late revolution of France, which is painfully interesting. Perhaps when we know more of the circumstances which gave rise to it, & the direction it will take, Buonaparte, its chief organ, may stand in a better light than at present. I am with great esteem, dear sir, your affectionate friend.

TO THOMAS MANN RANDOLPH. J. MSS.

PHILADELPHIA, Feb 2, 1800.

My letters to yourself and my dear Martha have been of Jan. 13, 21, & 28. I now enclose a letter lately received for her. You will see in the newspapers all the details we have of the proceedings of Paris. I observe that Lafayette is gone there. When

Digitized by Google

we see him, Volney, Sieyes, Taleyrand, gathering round the new powers, we may conjecture from thence their views and principles. Should it be really true that Buonaparte has usurped the government with an intention of making it a free one, whatever his talents may be for war, we have no proofs that he is skilled in forming governments friendly to the people. Wherever he has meddled we have seen nothing but fragments of the old Roman government stuck into materials with which they can form no cohesion: we see the bigotry of an Italian to the antient splendour of his country, but nothing which bespeaks a luminous view of the organization of rational government. Perhaps however this may end better than we augur; and it certainly will if his head is equal to true & solid calculations of glory. It is generally hoped here that peace may take place. There was before no union of views between Austria & the members of the triple coalition; and the defeats of Suwarrow appear to have completely destroyed the confidence of Russia in that power, & the failure of the Dutch expedition to have weaned him from the plans of England. The withdrawing his armies we hope is the signal for the entire dissolution of the coalition, and for every one seeking his separate peace. We have great need of this event, that foreign affairs may no longer bear so heavily on ours. We have great need for the ensuing twelve months to be left to ourselves. The enemies of our constitution are preparing a fearful operation, and the dissensions in this state are too likely to bring things to the situation they wish, when

Digitized by Google

our Buonaparte, surrounded by his comrades in arms, may step in to give us political salvation in his way. It behoves our citizens to be on their guard, to be firm in their principles, and full of confidence in themselves. We are able to preserve our self-government if we will but think so. I think the return of Lafayette to Paris ensures a reconciliation between them & us. He will so entwist himself with the envoys that they will not be able to draw off. Mr. C. Pinckney has brought into the Senate a bill for the uniform appointment of juries. A tax on public stock, bank-stock. &c., is to be proposed. This would bring 150. millions into contribution with the lands, and levy a sensible proportion of the expences of a war on those who are so anxious to engage us in it. Robbins' affair is perhaps to be inquired into. However, the majority against these things leave no hope of success. It is most unfortunate that while Virginia & N Carolina were steady, the middle states drew back: now that these are laying their shoulders to the draught, Virginia and N Carolina baulk; so that never drawing together, the Eastern states, steady & unbroken, draw all to themselves. I was mistaken last week in saying no more failures had happened. New ones have been declaring every day in Baltimore, others here and at New York. The last here have been Nottnagil, Montmollin & Co., & Peter Blight. These sums are enormous. I do not know the firms of the bankrupt houses in Baltimore, but the crush will be incalculable. In the present stagnation of commerce, & particularly that in tobo, it is difficult to

Digitized by Google

transfer money from hence to Richmond. Government bills on their custom house at Bermuda can from time to time be had. I think it will be best for mr. Barnes always to keep them bespoke, and to remit in that way your instalments as fast as they are either due or within the discountable period. The 1st is due the middle of March, & so from 2. months to 2. months in 5. equal instalments. I am looking out to see whether such a difference of price here may be had as will warrant our bringing our tobo from N York here, rather than take 8. D. there. We have been very unfortunate in this whole business. First in our own miscalculation of the effect of the non-intercourse law; & when we had corrected our opinions, that our instructions were from good, but mistaken views, not executed. My constant love to my dear Martha, kisses to her young ones, and affectionate esteem to yourself.

TO JAMES MONROE. J. MSS.

PHILADA. Feb. 6. 1800.

Nobody here has received mr. Madison's report *as it passed the house.* The members of the different states are waiting to receive & forward a single copy to their states to be reprinted there. This would require half a dozen copies But if you will send me one, we can have it reprinted here & sent out. Pray do it by the first post. If it was not printed there as amended in a separate pamphlet then send me those sheets of the journal in which it is contained. I expect Dupont the father at Philada every hour. Adieu affectionately.

Digitized by Google

TO SAMUEL ADAMS. J. MSS.

PHILADELPHIA, February 26, [1800.]

DEAR SIR,—Mr. Erving delivered me your favor of Jany. 31, and I thank you for making me acquainted with him. You will always do me a favor in giving me an opportunity of knowing gentlemen as estimable in their principles & talents as I find mr. Erving to be. I have not yet seen mr. Winthrop. A letter from you, my respectable friend, after three & twenty years of separation, has give me a pleasure I cannot express. It recalls to my mind the anxious days we then passed in struggling for the cause of mankind. Your principles have been tested in the crucible of time, & have come out pure. You have proved that it was monarchy, & not merely British monarchy, you opposed. A government by representatives, elected by the people at *short* periods, was our object; and our maxim at that day was, 'where annual election ends, tyranny begins;' nor have our departures from it been sanctioned by the happiness of their effects. A debt of an hundred millions growing by usurious interest, and an artificial paper phalanx overruling the agricultural mass of our country, with other &c. &c. &c., have a portentous aspect.—I fear our friends on the other side of the water, laboring in the same cause, have yet a great deal of crime & misery to wade through. My confidence has been placed in the head, not in the heart of Buonaparte. I hoped he would calculate truly the difference between the fame of a Washington & a Cromwell. Whatever his views may be, he has at

Digitized by Google

least transferred the destinies of the republic from the civil to the military arm. Some will use this as a lesson against the practicability of republican government. I read it as a lesson against the danger of standing armies. Adieu, my ever respected & venerable friend. May that kind & overruling providence which has so long spared you to our wishes, still foster your remaining years with whatever may make them comfortable to yourself & soothing to your friends. Accept the cordial salutations of your affectionate friend.

TO GEORGE WYTHE. J. MSS.

PHILADELPHIA, Feb. 28. 1800.

MY DEAR SIR,—I know how precious your time is & how exclusively you devote it to the duties of your office. Yet I venture to ask a few hours or minutes of it on motives of public service, as well as private friendship. I will explain the occasion of the application. You recollect enough of the old Congress to remember that their mode of managing the business of the House was not only unparliamentary, but that the forms were so awkward & inconvenient that it was impossible sometimes to get at the true sense of the majority. The House of Repr. of the U. S. are now pretty much in the same situation. In the Senate it is in our power to get into a better way. Our ground is this. The Senate have established a few rules for their government, & have subjected the decisions on these & on *all other points of order* with-

Digitized by Google

out debate, & without appeal, to the judgment of their President. He, for his own use, as well as theirs must prefer recurring to some system of rules, ready formed, & there can be no question that the Parliamentary rules are the best known to us for managing the debates, & obtaining the sense of a deliberative body. I have therefore made them my rule of decision, rejecting those of the old Congress altogether; & it gives entire satisfaction to the Senate; in so much that we shall not only have a good system there, but probably, by the example of it's effects, produce a conformity in the other branch. But in the course of this business I find perplexities, having for twenty years been out of deliberative bodies & become rusty as to many points of proceeding. And so little has the Parliamentary branch of the law been attended to, that I not only find no person here, but not even a book to aid me. I had, at an early period of life, read a good deal on the subject, & commonplaced what I read. This commonplace has been my pillow, but there are many questions of practice on which that is silent. Some of them are so minute indeed & belong so much to every day's practice that they have never been thought worthy of being written down. Yet from desuetude they have slipped my memory. You will see by the inclosed paper what they are. I know with what pain you write. Therefore I have left a margin in which you can write a simple negative or affirmative opposite every position, or perhaps with as little trouble correct the text by striking out or interlining. This is what I have earnestly to solicit

Digitized by Google

from you : & I would not have given you the trouble if I had had any other resource. But you are in fact the only spark of parliamentary science now remaining to us. I am the more anxious, because I have been forming a manual of Parliamentary law, which I mean to deposit with the Senate as the standard by which I judge & am willing to be judged. Though I should be opposed to it's being printed, yet it may be done perhaps without my consent ; & in that case I should be sorry indeed should it go out with errors that a Tyro should not have committed. And yet it is precisely those to which I am most exposed. I am less afraid as to important matters, because for them I have printed authorities. But it is those small matters of daily practice, which 20. years ago were familiar to me, but have in that time escaped my memory. I hope under these circumstances you will pardon the trouble I propose to you in the inclosed paper. I am not pressed in time, so that your leisure will be sufficient for me. Accept the salutations of grateful & sincere friendship & attachment & many prayers for your health & happiness from Dear Sir yours affectionately.[1]

[1] In pursuance of this subject Jefferson wrote Wythe :

PHILADELPHIA, Apr. 7. 1800.

I received in due time your favor of Feb. 22. & shall with pleasure assist mr. Marshall in the negotiation with mr. Lowndes, whenever desired either by Mr. Marshall or our executive.

I wrote you a troublesome letter sometime ago, & now propose some additimenta to it. It is with vast reluctance I do it, & would not do it, if books could furnish the information I want. But there are minutiæ of practice, which are hardly to be met with in the books, & therefore can only be learned from practical men ; & you know how destitute we are of such in Parliamentary reading at present. That science is so lost, & yet so important, that I am

Digitized by Google

TO JAMES MADISON. J. MSS.

PHILADELPHIA, Mar. 4, 1800.

I have never written to you since my arrival here, for reasons which were explained. Your's of Dec. 29, Jan. 4, 9, 12, 18, & Feb. 14, have therefore remained unacknoleged. I have at different times enclosed to you such papers as seemed interesting. To-day I forward Bingham's amendment to the election bill formerly enclosed to you, mr. Pinckney's proposed amendmnt to the const'n, & the report of the Ways & Means. B[ingham's] amendmt was lost by the usual majority of 2. to 1. A very different

taking considerable pains, & shall pursue it through the ensuing summer to form a Parliamentary Manual, which I shall deposit with the Senate of the U. S. & may thence possibly get into the public possession. To this I shall not object, if I can be satisfied that what I shall prepare will be correct. On the contrary it may do good by presenting to the different legislative bodies a chaste Praxis to which they may by degrees conform their several inconsistent & embarrassing modes of proceeding. But there is but one person in America whose information & judgment I have sufficient confidence in, to be satisfied that what I may put together, would be rigorously correct: & he is so absorbed in other useful duties, more peculiarly his own, that I have no right to trouble him with helping me through mine. I can ask it only on the score of charity for which we are all bound to find time.—We shall probably rise the 1st or 2d week of May, after which I shall be at Monticello, where and everywhere it will give me the greatest pleasure to hear of the continuance of your health. May you enjoy it with many long years of life for the solace of your friends & service of your country. Adieu. Most affectionately.

Jefferson also wrote to Edmund Pendleton as follows:

PHILADELPHIA, Apr. 19. 1800.

DEAR SIR,—My duties here require me to possess exact knolege of Parliamentary proceedings. While a student I read a good deal, & commonplaced what I read, on this subject. But it is now 20. years since I was a member of a parliamentary body, so that I am grown rusty. So far indeed as books go, my commonplace has enabled me to retrieve. But there are many minute practices, which being in daily use in Parliament & therefore supposed known to everyone, were never noticed in their books. These practices were, I dare

Digitized by Google

one will be proposed, containing the true sense of the Minority, viz. that the two houses, voting by heads, shall decide such questions as the constitution authorizes to be raised. This may probably be taken up in the other house under better auspices, for tho' the federalists have a great majority there, yet they are of a more moderate temper than for some time past. The Senate, however, seem determined to yield to nothing which shall give the other house greater weight in the decision on elections than they have. Mr. Pinckney's motion has been supported, and is likely to have some votes which

say, the same we used to follow in Virginia: but I have forgot even our practices. Besides these there are minute questions arising frequently as to the mode of amending, putting questions &c. which the books do not inform us of. I have from time to time noted these queries, &, keeping them in view, have been able to get some of them satisfied & struck them off my list. But I have a number of them still remaining unsatisfied. However unwilling to disturb your repose I am so anxious to perform the functions of my office with exact regularity that I have determined to throw myself on your friendship & to ask your aid in solving as many of my doubts as you can. I have written them down, leaving a broad margin in which I only ask the favor of you to write yea, or nay opposite to the proposition, which will satisfy me. Those which you do not recollect, do not give yourself any trouble about. Do it only at your leisure. If this should be before the 9th of May, your return of the papers may find me here till the 16th. If after that, be so good as to direct them to me at Monticello.

I have no foreign news but what you see in the papers. Duane's and Cooper's trials come on to-day. Such a selection of jurors has been made by the marshal as insures the event. The same may be said as to Fries &c. and also as to the sheriff & justices who in endeavoring to arrest Sweeny, the horse thief, got possession of his papers & sent them to the chief justice & governor, among which papers were mr. Liston's letters to the Governor of Canada, printed we know not by whom. We have not yet heard the fate of Holt, editor of the Bee in Connecticut. A printer in Vermont is prosecuted for reprinting mr. McHenry's letter to Genl. Darke. Be so good as to present my respects to mrs. Pendleton & friendly salutations to Mr. Taylor & accept yourself assurances of constant & affectionate esteem.

Digitized by Google

were not expected. I rather believe he will withdraw it, and propose the same thing in the form of a bill; it being the opinion of some that such a regulation is not against the present constitution. In this form it will stand a better chance to pass, as a majority only in both houses will be necessary. By putting off the building of the 74's & stopping enlistments, the loan will be reduced to 3½ millions. But I think it cannot be obtained. For though no new bankruptcies have happened here for some weeks, or in New York, yet they continue to happen in Baltimore, & the whole commercial race are lying on their oars, and gathering in their affairs, not knowing what new failures may put their resources to the proof. In this state of things they cannot lend money. Some foreigners have taken asylum among us, with a good deal of money, who may perhaps chuse that deposit. Robbins's affair has been under agitation for some days. Livingston made an able speech of 2½ hours yesterday. The advocates of the measure feel it's pressure heavily; & tho' they may be able to repel L[ivingston's] motion of censure, I do not believe they can carry Bayard's of approbation. The landing of our envoys at Lisbon will risk a very dangerous consequence, insomuch as the news of Truxton's aggression will perhaps arrive at Paris before our commissioners will. Had they gone directly there, they might have been two months ahead of that news. We are entirely without further information from Paris. By letters from Bordeaux, of Dec. 7, tobo was then from 25 to 27 D. pr. cwt. Yet did Marshall maintain on

Digitized by Google

the non-intercourse bill, that it's price at other markets had never been affected by that law. While the navigating and provision states, who are the majority, can keep open all the markets, or at least sufficient ones for their objects, the cries of the tobacco makers, who are the minority, and not at all in favor, will hardly be listened to. It is truly the fable of the cat pulling the nuts out of the fire with the monkey's paw; and it shows that G. Mason's proposition in the convention was wise, that on laws regulating commerce, two-thirds of the votes should be requisite to pass them. However, it would have been trampled under foot by a triumphant majority.

Mar. 8. My letter has lain by me till now, waiting mr. Trist's departure. The question has been decided to-day on Livingston's motion respecting Robbins; 35. for it, about 60. against it. Livingston, Nicholas, & Gallatin distinguished themselves on one side, & J. Marshall greatly on the other. Still it is believed they will not push Bayard's motion of approbation. We have this day also decided in Senate on the motion for overhauling the editor of the Aurora. It was carried, as usual, by about 2. to 1.; H. Marshall voting of course with them, as did, & frequently does Anderson of Tennessee, who is perfectly at market. It happens that the other party are so strong, that they do not think either him or Marshall worth buying. As the conveyance is confidential, I can say something on a subject which, to those who do not know my real dispositions respecting it, might seem indelicate. The feds begin to be very seriously

Digitized by Google

alarmed about their election next fall. Their speeches in private, as well as their public & private demeanor to me, indicate it strongly. This seems to be the prospect. Keep out Pennsylva, Jersey, & N York, & the rest of the states are about equally divided; and in this estimate it is supposed that N Carolina & Maryland added together are equally divided. Then the event depends on the 3. middle states before mentd. As to them, Pennsylva passes no law for an election at the present session. They confide that the next election gives a decided majority in the two houses, when joined together. M'Kean, therefore, intends to call the legislature to meet immediately after the new election, to appoint electors themselves. Still you will be sensible there may arise a difficulty between the two houses about voting by heads or by houses. The republican members here from Jersey are entirely confident that their two houses, joined together, have a majority of republicans; their council being republican by 6. or 8. votes, & the lower house federal by only 1. or 2.; and they have no doubt the approaching election will be in favor of the republicans. They appoint electors by the two houses voting together. In N York all depends on the success of the city election, which is of 12. members, & of course makes a difference of 24., which is sufficient to make the two houses, joined together, republican in their vote. Gov Clinton, Gen Gates, & some other old revolutionary characters, have been put on the republican ticket. Burr, Livingston, &c., entertain no doubt on the event of that election. Still these are the ideas

Digitized by Google

of the republicans only in these three States, & we must make great allowance for their sanguine views. Upon the whole, I consider it as rather more doubtful than the last election, in which I was not deceived in more than a vote or two. If Pennsylvania votes, then either Jersey or New York giving a republican vote, decides the election. If Pennsylva does not vote, then New York determines the election. In any event, we may say that if the *city* election of N York is in favor of the Republican ticket, the issue will be republican; if the federal ticket for the city of N York prevails, the probabilities will be in favor of a federal issue, because it would then require a republican vote both from Jersey & Pennsylva to preponderate against New York, on which we could not count with any confidence. The election of New York being in April, it becomes an early & interesting object. It is probable the landing of our envoys in Lisbon will add a month to our session; because all that the Eastern men are anxious about, is to get away before the possibility of a treaty's coming in upon us. You must consider the money you have in mr. Barnes' hands as *wholly* at your disposal. I have no note here of the amount of our nail account; but it is small and will be quite as convenient to me to receive after I go home.

Present my respectful salutations to mrs. Madison and be assured of my constant and affectionate esteem.

Digitized by Google

TO BENJAMIN HAWKINS. J. MSS.

PHILADELPHIA, Mar 14, 1800.

DEAR SIR,—I had twice before attempted to open a correspondence by writing to you, but receiving no answer, I took for granted my letters did not reach you, & consequently that no communication could be found. Yesterday, however, your nephew put into my hands your favor of Jan 23, and informs me that a letter sent by post by way of fort Wilkinson, will be certain of getting safely to you. Still, I expect your long absence from this part of the states, has rendered occurrences here but little interesting to you. Indeed, things have so much changed their aspect, that it is like a new world. Those who know us only from 1775. to 1793. can form no better idea of us now than of the inhabitants of the moon; I mean as to political matters. Of these, therefore, I shall say not one word, because nothing I could say, would be any more intelligible to you, if said in English, than if said in Hebrew. On your part, however, you have interesting details to give us. I particularly take great interest in whatever respects the Indians, and the present state of the Creeks, mentioned in your letter, is very interesting. But you must not suppose that your official communications will ever be seen or known out of the offices. Reserve as to all their proceedings is the fundamental maxim of the executive department. I must, therefore, ask from you one communication to be made to me separately, & I am encouraged to it by that part of your letter which promises me something on the Creek language. I

Digitized by Google

have long believed we can never get any information of the antient history of the Indians, of their descent & filiation, but from a knowledge & comparative view of their languages. I have, therefore, never failed to avail myself of any opportunity which offered of getting their vocabularies. I have now made up a large collection, and afraid to risk it any longer, lest by some accident it might be lost, I am about to print it. But I still want the great southern languages, Cherokee, Creeks, Choctaw, Chickasaw. For the Cherokee, I have written to another, but for the three others, I have no chance but through yourself. I have indeed an imperfect vocabulary of the Choctaw, but it wants all the words marked in the enclosed vocabulary[1] with either this mark (*) or this (†). I therefore throw myself on you to procure me the Creek, Choctaw, & Chickasaw; and I enclose you a vocabulary of the particular words I want. You need not take the trouble of having others taken, because all my other vocabularies are confined to these words, and my object is only a comparative view. The Creek column I expect you will be able to fill up at once, and when done I should wish it to come on without waiting for the others. As to the Choctaw & Chickasaw, I know your relations are not very direct, but as I possess no means at all of getting at them, I am induced to pray your aid. All the despatch which can be conveniently used is desirable to me, because I propose this summer to arrange all my vocabularies for the press, and I wish to place

[1] This vocabulary is missing.

Digitized by Google

every tongue in the column adjacent to it's kindred tongues. Your letters, addressed by post to me at Monticello, near Charlottesville, will come safely, & more safely than if put under cover to any of the offices, where they may be mislaid & lost.

Your old friend, mrs. Trist, is now settled at Charlottesville, within 2½ miles of me. She lives with her son, who married here, & removed there. She preserves her health & spirits fully, and is much beloved with us, as she deserves to be. As I know she is a favorite correspondent of yours, I shall observe that the same channel will be a good one to her as I have mentioned for myself. Indeed, if you find our correspondence worth having, it can now be as direct as if you were in one of these states. Mr. Madison is well. I presume you have long known of his marriage. He is not yet a father. Mr. Giles is happily & wealthily married to a Miss Tabb. This I presume is enough for a first dose; after hearing from you, & knowing how it agrees with you, it may be repeated. With sentiments of constant & sincere esteem, I am, dear Sir, your affectionate friend & servant.

TO JAMES MADISON. J.MSS.

PHILADELPHIA, Mar. 25, 1800.

Yours of the 15th is safely received. I perceive by that that I had by mistake sent you Ramsay's Eulogy instead of Cooper's smaller pamphlet, which therefore I now inclose merely for the last paper in it, as the two first were in the copy I first sent you. I

Digitized by Google

inclose also Mr. Nicholas's amendment this day proposed to the bill concerning President & V. P. formerly sent you. We expect it will be rejected by 17. to 13. in Senate, but that it may be brought forward in the lower house with better prospects. We have nothing from Europe but what you will see in the newspapers. The Executive are sending off a frigate to France, but for what purposes we know not. The bankrupt law will pass. A complimentary vote of a medal to Truxton will pass. A judiciary law adding about 100,000 D. to the annual expense of that department is going through the H. of R. A loan of 3½ millions will pass. The money it is said will be furnished by some English houses. Bankruptcies continue at Baltimore, and great mercantile distress & stagnation here. The Republican spirit beginning to preponderate in Pennsa, Jersey & N. Y. & becoming respectable in Mass. N. Hampsh. & Connect. Of R. I. & Vermont I can say nothing. There are the strongest expectations that the Republican ticket will prevail in the city election of N. Y. Clinton, Gates & Burr are at the head of it. Its success decides the complexion of that legislature. We expect Gouvr. Morris to be chosen by the present legislature Senator of the U. S. in the room of Watson resigned. The legislature here parted in a state of distraction, their successors, as soon as chosen, will be convened: but it is very questionable if the Senate will not still be obstinate. We suppose Congress will rise in May. Respectful & affectionate salutations to mrs. Madison & yourself. Adieu.

Digitized by Google

TO PHILIP NORBORNE NICHOLAS. J. MSS.

PHILADELPHIA, Apr. 7. 1800.

DEAR SIR,—Your favor of Feb. 2. came to hand Feb. 11. and I put off the acnoleging it, till I could forward to you some pamphlets on a subject very interesting to all the states, and containing views which I am anxious should be generally exhibited. In a former collection of tracts published by Mr. Cooper were two papers on Political arithmetic. He was printing a 2d edition of the whole, & was prevailed on to strike off an extra number of the two on Political arithmetic, adding to it some principles of government from a former work of his. I have forwarded to you by a vessel going from hence to Richmond 8. dozen of these, with a view that one should be sent to every county commee in the state, either from yourself personally or from your central commee. Tho' I know that this is not the immediate object of your institution, yet I consider it as a most valuable object, to which the institution may most usefully be applied. I trust yourself only with the secret that these pamphlets go from me. You will readily see what a handle would be made of my advocating their contents. I must leave to yourself therefore to say how they come to you. Very possibly they will have got to you before this does, as I shall retain it for a private conveyance & know of none as yet. I dare trust nothing this summer through the post offices. At other times they would not have such strong motives to infidelity.

It is too early to think of a declaratory act as yet,

Digitized by Google

but the time is approaching & not distant. Two elections more will give us a solid majority in the H. of R. and a sufficient one in the Senate. As soon as it can be depended on, we must have 'a Declaration of the principles of the constitution' in nature of a Declaration of rights, in all the points in which it has been violated. The people in the middle states are almost rallied to Virginia already; & the eastern states are recommencing the vibration which had been checked by X. Y. Z. North Carolina is at present in the most dangerous state. The lawyers all tories, the people substantially republican, but uninformed & deceived by the lawyers, who are elected of necessity because few other candidates. The medicine for that State must be very mild & secretly administered. But nothing should be spared to give them true information. I am, dear Sir, yours affectionately.

TO WILLIAM HAMILTON OF WOODLANDS. J. MSS.

PHILADELPHIA Apr. 22. 1800.

DEAR SIR,—A little reflection enables me to understand the appearances of neglect which you were kind enough to mention to me the other day. It was in March, 1797 you did me the honor of calling on me. I had then come up to Philadelphia only to take the oath of office. On that occasion I received the visits not only of every one in the city who had known me, but of great numbers who did not. The Senate adjourned finally the same day; so that being to return immediately, it was impossible to repay the

Digitized by Google

numerous visits I had received. I counted therefore on finding my excuse in the impossibility of the thing. Your distance from the town prevented your knowlege of this circumstance, while those who were in the city saw & felt my justification in my departure. During the ensuing summer came on the war-fever. Those who caught it seemed to consider every man as their personal enemy who would not catch their disorder, and many suffered themselves to think it was a sufficient cause for breaking off society with them. I became sensible of this on my next arrival in town, on perceiving that many declined visiting me with whom I had been on terms of the greatest friendship & intimacy. I determined, for the first time in my life, to stand on the ceremony of the first visit, even with my friends; because it served to sift out those who chose a separation. I was happy to be informed by yourself that your declining to visit was on a different ground; a ground too, which while it might well appear otherwise to you then, you will now be sensible I hope was involuntary & unavoidable on my part. I never considered a difference of opinion in politics, in religion, in philosophy, as cause for withdrawing from a friend. During the whole of the last war, which was trying enough, I never deserted a friend because he had taken an opposite side; & those of my own state who joined the British government can attest my unremitting zeal in saving their property, & can point out the laws in our statute book which I drew, & carried through in their favor. However I have seen during the late political

Digitized by Google

paroxysm here numbers whom I had highly esteemed; draw off from me, in so much as to cross the street to avoid meeting me. The fever is abating and doubtless some of them will correct the momentary wanderings of their heart, & return again. If they do, they will meet the constancy of my esteem, & the same oblivion of this as of any other delirium which might happen to them.

I am happy to find you as clear of political antipathies as I am; & am particularly obliged by the frankness of your explanation. I owe to it the opportunity of placing myself justly before you, and of assuring you there was no person here to whom I had less disposition of shewing neglect than to yourself. The circumstances of our early acquaintance I have ever felt as binding me in morality as well as in affection, & there are so many agreeable points in which we are in perfect union that I am at no loss to find a justification of my constant esteem.

Among the many botanical curiosities you were so good as to shew me the other day, I forgot to ask if you had the Dionea muscipula, & whether it produces a seed with you. If it does, I should be very much disposed to trespass on your liberality so far as to ask a few seeds of that, as also of the Acacia Nilotica, or Farnesiana whichever you have. I pray you to accept assurances of the sincere attachment & respect of Dear Sir your most obedient humble servant.

Digitized by Google

TO EDWARD LIVINGSTON. J. MSS.

PHILADELPHIA, Apr. 30, 1800.

DEAR SIR,—I received with great pleasure your favour of the 11th inst. By this time I presume the result of your labours is known with you, tho' not here. Whatever it may be, & my experience of the art, industry, & resources of the other party has not permitted me to be prematurely confident, yet I am entirely confident that ultimately the great body of the people are passing over from them. This may require one or two elections more; but it will assuredly take place. The madness & extravagance of their career is what ensures it. The people through all the states are for republican forms, republican principles, simplicity, economy, religious & civil freedom.

I have nothing to offer you but Congressional news. The Judiciary bill is postponed to the next session; so is the militia bill; so the military academy. The bill for the election of the Prest and V P has undergone much revolution. Marshall made a dexterous manœuvre; he declares against the constitutionality of the Senate's bill, and proposes that the right of decision of their grand committee should be controllable by the *concurrent* vote of the two houses of congress; but to stand good if not rejected by a concurrent vote. You will readily estimate the amount of this sort of controul. The Committee of the H. of R, however, took from the Committee the right of giving any opinion, requiring them to report facts only, and that the votes returned by the states should

Digitized by Google

be counted, unless reported by a concurrent vote of both houses. In what form they will pass them or us, cannot be foreseen. Our Jury bill in Senate will pass so as merely to accommodate N. York & Vermont. The H. of R. sent us yesterday a bill for incorporating a company to work Roosevelt's copper mines in N. Jersey. I do not know whether it is understood that the Legislature of Jersey was incompetent to this, or merely that we have concurrent legislation under the sweeping clause. Congress are authorized to defend the nation. Ships are necessary for defence; copper is necessary for ships; mines necessary for copper; a company necessary to work mines; and who can doubt this reasoning who has ever played at 'This is the House that Jack Built'? Under such a process of filiation of necessities the sweeping clause makes clean work. We shall certainly rise on the 12th. There is nothing to do now but to pass the ways & means, and to settle some differences of opinion of the two houses on the Georgia bill, the bill for dividing the North-Western territory, & that for the sale of the Western lands. Salutations & affectionate esteem. Adieu.

TO ROBERT R. LIVINGSTON. J. MSS.

PHILADELPHIA, Apr. 30, 1800.

DEAR SIR,—Your favour of Feb. 28. never came to my hand till the 17th inst. This must account for the greater portion of the delay which has attended the acknolegment of it. I thank you for the volume

Digitized by Google

of your agricultural transactions: & as I perceive you take a great interest in whatever relates to this first & most precious of all the arts, I have packed in a small box, a model of a mouldboard of a plough, of my invention, if that term may be used for a mere change of form. It is accompanied by a block, which will shew the form in which the block is to be got for making the mouldboard & the manner of making it. However as this would not explain it's principles, alone, I accompany it by the late volume of our Philosophical transactions, in which there is a minute description of the principles & construction. The printer having (on his removal from the yellow fever) lost several of the plates belonging to this volume & among them that relating to the mouldboard, I have supplied this last by some sketches which may enable you to understand the description. I shall avail myself of the first person of my acquaintance whom I shall know to be passing in the stage to New York, to forward them to you. The printer will have the lost plates ready to replace shortly.

I had before heard of your discovery of the method of making paper from a vegetable & from the specimen sent have no doubt of it's great importance. For this article, the creature of art, & but latterly so comparatively, is now interwoven so much into the conveniences & occupations of men as to have become one of the necessaries of civilized life.

We are here engaged in improving our constitution by construction, so as to make it what the majority thinks it should have been. The Senate received

Digitized by Google

yesterday a bill from the Representatives incorporating a company for Roosevelt's copper mines in Jersey. This is under the *sweeping clause* of the constitution, & supported by the following pedigree of necessities. Congress are authorized to defend the country: ships are necessary for that defence: copper is necessary for ships: mines are necessary to produce copper: companies are necessary to work mines: and "this is the house that Jack built."

I shall be happy to receive from you, at your leisure, the long letter which you promised. I have been long in the habit of valuing whatever comes from your pen. And my taste, which in 1775. was like yours, in politics, is now passed over with yours to more tranquilizing studies. Accept assurances of my respectful & affectionate esteem.

TO JAMES MADISON. J. MSS.

PHILADELPHIA, May 12, [1800.]

DEAR SIR,—Congress will rise to-day or to-morrow. Mr. Nicholas proposing to call on you, you will get from him the Congressional news. On the whole, the federalists have not been able to carry a single strong measure in the lower house the whole session. When they met, it was believed they had a majority of 20; but many of these were new & moderate men, & soon saw the true character of the party to which they had been well disposed while at a distance. The tide, too, of public opinion sets so strongly against the federal proceedings, that this melted off their

Digitized by Google

majority, & dismayed the heroes of the party. The Senate alone remained undismayed to the last. Firm to their purposes, regardless of public opinion, and more disposed to coerce than to court it, not a man of their majority gave way in the least; and on the electoral bill they *adhered* to John Marshal's amendment, by their whole number; & if there had been a full Senate, there would have been but 11. votes against it, which includes H. Marshall, who has voted with the republicans this session. * * *

TO JAMES MONROE. MON. MSS.

EPPINGTON May 26, 1800.

DEAR SIR,—I am sorry your servant had such a chase to find me. I came to this place on Saturday. He got here in the night last night. Further reflection on the matter which had been proposed in conversation the evening before I left you, convinced me that it could not succeed, that obstacles must arise to it, and that these would give rise to disagreeable incidents. Could I have seen you therefore in the morning of my leaving Richmond I should have dissuaded the attempt. However, as it has been made it shews who are the Anti-Unionists in principle. My only anxiety is that the friends of our principle may take umbrage at my declining their proffered civility. I will thank you to express my particular respect to Doctr. Fancher, to whom it happened that I had not an opportunity of doing it sufficiently while we were together at your house. As to the calumny of Athe-

Digitized by Google

ism, I am so broken to calumnies of every kind, from every department of government, Executive, Legislative, & Judiciary, & from every minion of theirs holding office or seeking it, that I entirely disregard it, and from Chace it will have less effect than from any other man in the United States. It has been so impossible to contradict all their lies, that I have determined to contradict none; for while I should be engaged with one, they would publish twenty new ones. Thirty years of public life have enabled most of those who read newspapers to judge of one for themselves.

I think it essentially just and necessary that Callendar should be substantially defended. Whether in the first stages by publick interference, or private contributors, may be a question. Perhaps it might be as well that it should be left to the legislature, who will meet in time, & before whom you can lay the matter so as to bring it before them. It is become peculiarly their cause and may furnish them a fine opportunity of shewing their respect to the union & at the same time of doing justice in another way to those whom they cannot protect without committing the publick tranquility.

I leave this place tomorrow for Monticello, and shall be three days on the road. I think it possible that in the course of a month or two the Senate may be called to the Federal city by the arrival of a treaty with France. However I presume it will be a very short call. I shall give you notice when Dupont arrives at Monticello, as you may perhaps so time

Digitized by Google

your visits of business to that quarter as to see him. Present my friendly respects to Mrs. Monroe, & accept yourself assurances of constant & affectionate attachment from, Dear Sir, your friend & servt.

TO PIERCE BUTLER. J.MSS.

Aug. 11. 1800.

DEAR SIR,—Your favor of July 28. is safely received & received with great pleasure, it having been long since we have been without communication. You will have perceived, on your return to Philadelphia, a great change in the spirit of the place. 'The arrogancy of the proud hath ceased, & the patient and meek look up.' I do not know how matters are in the quarter you have been in, but all north of the Roanoke has undergone a wonderful change. The state of the public mind in N. Carolina appears mysterious to us. Doubtless you know more of it than we do. What will be the effect, in that & the two other states south of that, of the new maneuvre of a third competitor proposed to be run at the ensuing election, & taken from among them? Will his personal interest or local politics derange the votes in that quarter which would otherwise have been given on principle alone? Nothing ever passed between the gentleman you mention and myself on the subject you mention. It is our mutual duty to leave those arrangements to others, & to acquiesce in their assignment. He has certainly greatly merited

Digitized by Google

of his country, & the Republicans in particular, to whose efforts his have given a chance of success. Are we to see you at the Federal city, or will Philadelphia still monopolize the time you spare from S. Carolina? I shall be happy to meet you there and at all times to hear from you. Accept assurances of the high regard of dear sir your friend & servant.

TO GIDEON GRANGER. J. MSS.

[MONTICELLO,] Aug 13, 1800.

DEAR SIR,—I received with great pleasure your favor of June 4, and am much comforted by the appearance of a change of opinion in your state; for tho' we may obtain, & I believe shall obtain, a majority in the legislature of the United States, attached to the preservation of the Federal constitution according to it's obvious principles, & those on which it was known to be received; attached equally to the preservation to the states of those rights unquestionably remaining with them; friends to the freedom of religion, freedom of the press, trial by jury & to economical government; opposed to standing armies, paper systems, war, & all connection, other than commerce, with any foreign nation; in short, a majority firm in all those principles which we have espoused and the federalists have opposed uniformly; still, should the whole body of New England continue in opposition to these principles of government, either knowingly or through delusion, our government will be a very uneasy one. It can never be

Digitized by Google

harmonious & solid, while so respectable a portion of it's citizens support principles which go directly to a change of the federal constitution, to sink the state governments, consolidate them into one, and to monarchize that. Our country is too large to have all its affairs directed by a single government. Public servants at such a distance, & from under the eye of their constituents, must, from the circumstance of distance, be unable to administer & overlook all the details necessary for the good government of the citizens, and the same circumstance, by rendering detection impossible to their constituents, will invite the public agents to corruption, plunder & waste. And I do verily believe, that if the principle were to prevail, of a common law being in force in the U S, (which principle possesses the general government at once of all the powers of the state governments, and reduces us to a single consolidated government,) it would become the most corrupt government on the earth. You have seen the practises by which the public servants have been able to cover their conduct, or, where that could not be done, delusions by which they have varnished it for the eye of their constituents. What an augmentation of the field for jobbing, speculating, plundering, office-building & office-hunting would be produced by an assumption of all the state powers into the hands of the general government. The true theory of our constitution is surely the wisest & best, that the states are independent as to everything within themselves, & united as to everything respecting foreign nations. Let the gen-

Digitized by Google

eral government be reduced to foreign concerns only, and let our affairs be disentangled from those of all other nations, except as to commerce, which the merchants will manage the better, the more they are left free to manage for themselves, and our general government may be reduced to a very simple organization, & a very unexpensive one ; a few plain duties to be performed by a few servants. But I repeat, that this simple & economical mode of government can never be secured, if the New England States continue to support the contrary system. I rejoice, therefore, in every appearance of their returning to those principles which I had always imagined to be almost innate in them. In this State, a few persons were deluded by the X. Y. Z. duperies. You saw the effect of it in our last Congressional representatives, chosen under their influence. This experiment on their credulity is now seen into, and our next representation will be as republican as it has heretofore been. On the whole, we hope, that by a part of the Union having held on to the principles of the constitution, time has been given to the states to recover from the temporary frenzy into which they had been decoyed, to rally round the constitution, & to rescue it from the destruction with which it had been threatened even at their own hands. I see copied from the American Magazine two numbers of a paper signed Don Quixotte, most excellently adapted to introduce the real truth to the minds even of the most prejudiced.

I would, with great pleasure, have written the letter

Digitized by Google

you desired in behalf of your friend, but there are existing circumstances which render a letter from me to that magistrate as improper as it would be unavailing. I shall be happy, on some more fortunate occasion, to prove to you my desire of serving your wishes.

I sometime ago received a letter from a Mr. M'Gregory of Derby, in your State; it is written with such a degree of good sense & appearance of candor, as entitles it to an answer. Yet the writer being entirely unknown to me, and the stratagems of the times very multifarious, I have thought it best to avail myself of your friendship, & enclose the answer to you. You will see it's nature. If you find from the character of the person to whom it is addressed, that no improper use would probably be made of it, be so good as to seal & send it. Otherwise suppress it.

How will the vote of your State and R I be as to A. and P.?

I am, with great and sincere esteem, dear Sir, your friend and servant.

TO JEREMIAH MOOR. J. MSS.

MONTICELLO Aug. 14. 1800.

SIR,—I have to acknowlge the receipt of your favor of July 12. The times are certainly such as to justify anxiety on the subject of political principles, & particularly those of the public servants. I have been so long on the public theatres that I

Digitized by Google

supposed mine to be generally known. I make no secret of them: on the contrary I wish them known to avoid the imputation of those which are not mine. You may remember perhaps that in the year 1783. after the close of the war there was a general idea that a convention would be called in this state to form a constitution. In that expectation I then prepared a scheme of constitution which I meant to have proposed. This is bound up at the end of the Notes on Virginia, which being in many hands, I may venture to refer to it as giving a general view of my principles of government. It particularly shews what I think on the question of the right of electing & being elected, which is principally the subject of your letter. I found it there on a year's residence in the country; or the possession of property in it, or a year's enrollment in it's militia. When the constitution of Virginia was formed I was in attendance at Congress. Had I been here I should probably have proposed a general suffrage: because my opinion has always been in favor of it. Still I find very honest men who, thinking the possession of some property necessary to give due independence of mind, are for restraining the elective franchise to property. I believe we may lessen the danger of buying and selling votes, by making the number of voters too great for any means of purchase: I may further say that I have not observed men's honesty to increase with their riches. I observe however in the same scheme of a constitution, an abridgment of the right of being

Digitized by Google

elected, which after 17. years more of experience & reflection, I do not approve. It is the incapacitation of a clergyman from being elected. The clergy, by getting themselves established by law, & ingrafted into the machine of government, have been a very formidable engine against the civil and religious rights of man. They are still so in many countries & even in some of these United States. Even in 1783, we doubted the stability of our recent measures for reducing them to the footing of other useful callings. It now appears that our means were effectual. The clergy here seem to have relinquished all pretension to privilege and to stand on a footing with lawyers, physicians &c. They ought therefore to possess the same rights.

I have with you wondered at the change of political principles which has taken place in many in this state however much less than in others. I am still more alarmed to see, in the other states, the general political dispositions of those to whom is confided the education of the rising generation. Nor are all the academies of this state free from grounds of uneasiness. I have great confidence in the common sense of mankind in general: but it requires a great deal to get the better of notions which our tutors have instilled into our minds while incapable of questioning them, & to rise superior to antipathies strongly rooted. However, I suppose when the evil rises to a certain height, a remedy will be found, if the case admits any other than the prudence of parents and guardians. The candour & good sense

Digitized by Google

of your letter made it a duty in me to answer it, & to confide that no uncandid use will be made of the answer: & particularly that it be kept from the newspapers, a bear-garden field into which I do not chuse to enter. I am with esteem sir, your most obedient servant.

TO JAMES MADISON. J. MSS.

MONTICELLO, Sep. 17. 1800.

DEAR SIR,—I now send by Bp. Madison the balance which should have gone from our last court by mr. Barber: but not seeing him the first day of the court, & that breaking up on the first day, contrary to usage, & universal expectation, mr. Barber was gone before I knew that fact.—Is it not strange the public should have no information of the proceedings & prospects of our envoys in a case so vitally interesting to our commerce? that at a time when, as we suppose, all differences are in a course of amicable adjustment, Truxton should be fitted out with double diligence that he may get out of court before the arrival of a treaty, & shed more human blood merely for the pleasure of shedding it?—I have a letter from Mr. Butler in which he supposes that the Republican vote of N. Carolina will be but a bare majority. Georgia he thinks will be unanimous with the Republicans; S. C. unanimous either with them or against them: but not certainly which. Dr. Rush & Burr give favorable accounts of Jersey. Granger & Burr even count with confidence on Con-

Digitized by Google

necticut. But that is impossible. The revolution there indeed is working with very unexpected rapidity. Before another Congressional election it will probably be complete. There is good reason to believe Massachusetts will increase her republican vote in Congress, & that Levi Lincoln will be one. He will be a host in himself; being undoubtedly the ablest & most respectable man of the Eastern states. Health, respect & affection.

TO JAMES MONROE. MON. MSS.

MONTICELLO Sep. 20. 1800.

DEAR SIR,—Mr. Craven, who was here at the receipt of your favor of the 15th & will probably be here a week longer, desires me to inform you that he communicates by this day's post, your terms to Mr. Darrelle, and that he is thoroughly persuaded he will accede to them. He is very anxious you should retain the lands for Darrelle, who is his father in law, and whose removal into the neighborhood is therefore much wished for by him.

Where to stay the hand of the executioner is an important question. Those who have escaped from the immediate danger, must have feelings which would dispose them to extend the executions. Even here, where every thing has been perfectly tranquil, but where a familiarity with slavery, and a possibility of danger from that quarter prepare the general mind for some severities, there is a strong sentiment that there has been hanging enough. The other states &

Digitized by Google

the world at large will forever condemn us if we indulge a principle of revenge, or go one step beyond absolute necessity. They cannot lose sight of the rights of the two parties, & the object of the unsuccessful one. Our situation is indeed a difficult one: for I doubt whether these people can ever be permitted to go at large among us with safety. To reprieve them and keep them in prison till the meeting of the legislature will encourge efforts for their release. Is there no fort & garrison of the state or of the Union, where they would be confined, & where the presence of the garrison would preclude all ideas of attempting a rescue. Surely the legislature would pass a law for their exportation, the proper measure on this & all similar occasions? I hazard these thoughts for your own consideration only, as I should be unwilling to be quoted in the case; you will doubtless hear the sentiments of other persons & places, and will thence be enabled to form a better judgment on the whole than any of us singly & in a solitary situation. Health, respect & affection.

TO DOCTOR BENJAMIN RUSH. J. MSS.

MONTICELLO, Sep. 23, 1800.

DEAR SIR,—I have to acknolege the receipt of your favor of Aug. 22, and to congratulate you on the healthiness of your city. Still Baltimore, Norfolk & Providence admonish us that we are not clear of our new scourge. When great evils happen, I am in the habit of looking out for what good may arise

Digitized by Google

from them as consolations to us, and Providence has in fact so established the order of things, as that most evils are the means of producing some good. The yellow fever will discourage the growth of great cities in our nation, & I view great cities as pestilential to the morals, the health and the liberties of man. True, they nourish some of the elegant arts, but the useful ones can thrive elsewhere, and less perfection in the others, with more health, virtue & freedom, would be my choice.

I agree with you entirely, in condemning the mania of giving names to objects of any kind after persons still living. Death alone can seal the title of any man to this honor, by putting it out of his power to forfeit it. There is one other mode of recording merit, which I have often thought might be introduced, so as to gratify the living by praising the dead. In giving, for instance, a commission of chief justice to Bushrod Washington, it should be in consideration of his integrity, and science in the laws, and of the services rendered to our country by his illustrious relation, &c. A commission to a descendant of Dr. Franklin, besides being in consideration of the proper qualifications of the person, should add that of the great services rendered by his illustrious ancestor, Bn Fr, by the advancement of science, by inventions useful to man, &c. I am not sure that we ought to change all our names. And during the regal government, sometimes, indeed, they were given through adulation; but often also as the reward of the merit of the times, sometimes for ser-

Digitized by Google

vices rendered the colony. Perhaps, too, a name when given, should be deemed a sacred property.

I promised you a letter on Christianity, which I have not forgotten. On the contrary, it is because I have reflected on it, that I find much more time necessary for it than I can at present dispose of. I have a view of the subject which ought to displease neither the rational Christian nor Deists, and would reconcile many to a character they have too hastily rejected. I do not know that it would reconcile the *genus irritabile vatum* who are all in arms against me. Their hostility is on too interesting ground to be softened. The delusion into which the X. Y. Z. plot shewed it possible to push the people; the successful experiment made under the prevalence of that delusion on the clause of the constitution, which, while it secured the freedom of the press, covered also the freedom of religion, had given to the clergy a very favorite hope of obtaining an establishment of a particular form of Christianity thro' the U. S.; and as every sect believes its own form the true one, every one perhaps hoped for his own, but especially the Episcopalians & Congregationalists. The returning good sense of our country threatens abortion to their hopes, & they believe that any portion of power confided to me, will be exerted in opposition to their schemes. And they believe rightly; for I have sworn upon the altar of god, eternal hostility against every form of tyranny over the mind of man. But this is all they have to fear from me: & enough too in their opinion, & this is the cause of their print-

Digitized by Google

ing lying pamphlets against me, forging conversations for me with Mazzei, Bishop Madison, &c., which are absolute falsehoods without a circumstance of truth to rest on; falsehoods, too, of which I acquit Mazzei & Bishop Madison, for they are men of truth.

But enough of this: it is more than I have before committed to paper on the subject of all the lies that has been preached and printed against me. I have not seen the work of Sonnoni which you mention, but I have seen another work on Africa, (Parke's,) which I fear will throw cold water on the hopes of the friends of freedom. You will hear an account of an attempt at insurrection in this state. I am looking with anxiety to see what will be it's effect on our state. We are truly to be pitied. I fear we have little chance to see you at the Federal city or in Virginia, and as little at Philadelphia. It would be a great treat to receive you here. But nothing but sickness could effect that; so I do not wish it. For I wish you health and happiness, and think of you with affection. Adieu.

TO JAMES MONROE. MON. MSS.

MONTICELLO Nov. 8. 1800.

Yours by your servant has been delivered as also that by Mr. Erwin. I think Skipwith's letter contains some paragraphs which would do considerable good in the newspapers. I shall inclose that & the other by Mr. Erwin to Mr. Madison, to be returned to you. I shall set out for Washington so as to arrive

Digitized by Google

there as soon as I suppose the answer to the speech is delivered. It is possible some silly things may be put into the latter on the hypothesis of it's being valedictory, & that these may be zealously answered by the federal majority in our house. They shall deliver it themselves therefore. I have not heard from Craven since I wrote to you. I told him I should leave this on the 12th therefore I think it certain he will be here before that date, as we have some important arrangements to make together. I shall not fail to encourage the purchase of your lands.—I am sincerely sorry I was absent when you were in the neighborhood. I wished to learn something of the excitements, the expectations & extent of this negro conspiracy, not being satisfied with the popular reports. I learnt with concern in Bedford that the important deposit of arms near New London is without even a centinel to guard it. There is said to be much powder in it. We cannot suppose the federal administration takes this method of offering arms to insurgent negroes: yet some in the neighborhood of the place suspect it. Would it not be justifiable in you to suggest to them the importance of a guard there? In truth that deposit should be removed to the river. Health, respect & affection.

TO ROBERT R. LIVINGSTON. J. MSS.

WASHINGTON, Dec. 14, 1800.

DEAR SIR,—Your former communications on the subject of the steam engine, I took the liberty of laying before the American Philosophical society, by

Digitized by Google

whom they will be printed in their volume of the present year. I have heard of the discovery of some large bones, supposed to be of the mammoth, at about 30. or 40. miles distance from you; and among the bones found, are said to be some of which we have never yet been able to procure. The 1st interesting question is, whether they are the bones of the mammoth? The 2d, what are the particular bones, and could I possibly procure them? The bones I am most anxious to obtain, are those of the head & feet, which are said to be among those found in your State, as also the ossa innominata, and the scapula. Others would also be interesting, though similar ones may be possessed, because they would show by their similarity that the set belong to the mammoth. Could I so far venture to trouble you on this subject, as to engage some of your friends near the place, to procure for me the bones above mentioned? If they are to be bought I will gladly pay for them whatever you shall agree to as reasonable; and will place the money in N York as instantaneously after it is made known to me, as the post can carry it, as I will all expenses of package, transportation, &c, to New York and Philadelphia, where they may be addressed to John Barnes, whose agent (he not being on the spot) will take care of them for me.

But I have still a more important subject whereon to address you. Tho' our information of the votes of the several states be not official, yet they are stated on such evidence as to satisfy both parties that the Republican vote has been successful. We may,

Digitized by Google

therefore, venture to hazard propositions on that hypothesis without being justly subjected to raillery or ridicule. The constitution to which we are all attached was meant to be republican, and we believe to be republican according to every candid interpretation. Yet we have seen it so interpreted and administered, as to be truly what the French have called, a *monarchie masquée.* Yet so long has the vessel run on this way and been trimmed to it, that to put her on her republican track will require all the skill, the firmness & the zeal of her ablest & best friends. It is a crisis which calls on them, to sacrifice all other objects, and repair to her aid in this momentous operation. Not only their skill is wanting, but their names also. It is essential to assemble in the outset persons to compose our administration, whose talents, integrity and revolutionary name and principles may inspire the nation at once, with unbounded confidence, and impose an awful silence on all the maligners of republicanism; as may suppress in embryo the purpose avowed by one of their most daring & effective chiefs, of beating down the administration. These names do not abound at this day. So few are they, that yours, my friend, cannot be spared among them without leaving a blank which cannot be filled. If I can obtain for the public the aid of those I have contemplated, I fear nothing. If this cannot be done, then are we unfortunate indeed! We shall be unable to realize the prospects which have been held out to the people, and we must fall back into monarchism, for want of heads, not hands to help us out of

Digitized by Google

it. This is a common cause, my dear Sir, common to all republicans. Tho' I have been too honorably placed in front of those who are to enter the breach so happily made, yet the energies of every individual are necessary, & in the very place where his energies can most serve the enterprise. I can assure you that your colleagues will be most acceptable to you; one of them, whom you cannot mistake, peculiarly so. The part which circumstances constrain us to propose to you is, the secretaryship of the navy. These circumstances cannot be explained by letter. Republicanism is so rare in those parts which possess nautical skill, that I cannot find it allied there to the other qualifications. Tho' you are not nautical by profession, yet your residence and your mechanical science qualify you as well as a gentleman can possibly be, and sufficiently to enable you to choose under-agents perfectly qualified, and to superintend their conduct. Come forward then, my dear Sir, and give us the aid of your talents & the weight of your character towards the new establishment of republicanism: I say, for it's new establishment; for hitherto we have only seen it's travestie. I have urged thus far, on the belief that your present office would not be an obstacle to this proposition. I was informed, and I think it was by your brother, that you wished to retire from it, & were only restrained by the fear that a successor of different principles might be appointed. The late change in your council of appointment will remove this fear. It will not be improper to say a word on the subject of expence. The gentlemen

Digitized by Google

who composed Genl Washington's first administration took up, too universally, a practice of general entertainment, which was unnecessary, obstructive of business, & so oppressive to themselves, that it was among the motives for their retirement. Their successors profited by the experiment, & lived altogether as private individuals, & so have ever continued to do. Here, indeed, it cannot be otherwise, our situation being so rural, that during the vacations of the Legislature we shall have no society but of the officers of the government, and in time of sessions the Legislature is become & becoming so numerous, that for the last half dozen years nobody but the President has pretended to entertain them. I have been led to make the application before official knowledge of the result of our election, because the return of Mr. Van Benthuysen, one of your electors & neighbors, offers me a safe conveyance at a moment when the post offices will be peculiarly suspicious & prying. Your answer may come by post without danger, if directed in some other hand writing than your own; and I will pray you to give me an answer as soon as you can make up your mind.

Accept assurances of cordial esteem & respect, & my friendly salutations.

TO AARON BURR. J. MSS.

WASHINGTON, Dec 15, 1800.

DEAR SIR,—Although we have not official information of the votes for President & Vice President, and cannot have until the first week in Feb, yet the

Digitized by Google

state of the votes is given on such evidence, as satisfies both parties that the two republican candidates stand highest. From S Carolina we have not even heard of the actual vote; but we have learnt who were appointed electors, and with sufficient certainty how they would vote. It is said they would withdraw from yourself one vote. It has also been said that a General Smith, of Tennessee, had declared that he would give his 2d. vote to Mr. Gallatin, not from any indisposition towards you, but extreme reverence to the character of Mr. G. It is also surmised that the vote of Georgia will not be entire. Yet nobody pretends to know these things of a certainty, and we know enough to be certain that what it is surmised will be withheld, will still leave you 4. or 5. votes at least above Mr. A. However, it was badly managed not to have arranged with certainty what seems to have been left to hazard. It was the more material, because I understand several of the high-flying federalists have expressed their hope that the two republican tickets may be equal, & their determination in that case to prevent a choice by the H of R, (which they are strong enough to do,) and let the government devolve on a President of the Senate. Decency required that I should be so entirely passive during the late contest that I never once asked whether arrangements had been made to prevent so many from dropping votes intentionally, as might frustrate half the republican wish; nor did I doubt, till lately, that such had been made.

While I must congratulate you, my dear Sir, on

Digitized by Google

the issue of this contest, because it is more honorable, and doubtless more grateful to you than any station within the competence of the chief magistrate, yet for myself, and for the substantial service of the public, I feel most sensibly the loss we sustain of your aid in our new administration. It leaves a chasm in my arrangements, which cannot be adequately filled up. I had endeavored to compose an administration whose talents, integrity, names, and dispositions, should at once inspire unbounded confidence in the public mind, and insure a perfect harmony in the conduct of the public business. I lose you from the list, & am not sure of all the others. Should the gentlemen who possess the public confidence decline taking a part in their affairs, and force us to take persons unknown to the people, the evil genius of this country may realize his avowal that 'he will beat down the administration.' The return of Mr. Van Benthuysen, one of your electors, furnishes me a confidential opportunity of writing this much to you, which I should not have ventured through the post office at this prying season. We shall of course see you before the 4th of March. Accept my respectful and affectionate salutations.

TO JOHN BRECKENRIDGE. J. MSS.

WASHINGTON, Dec 18, 1800.

DEAR SIR,—I received, while at home, the letter you were so kind as to write me. The employments of the country have such irresistible attractions for

Digitized by Google

me, that while I am at home, I am very unpunctual in acknoleging the letters of my friends. Having no refuge here from my room & writing-table, it is my regular season for fetching up the lee-way of my correspondence.

Before you receive this, you will have understood that the State of S Carolina (the only one about which there was uncertainty) has given a republican vote, and saved us from the consequences of the annihilation of Pennsylvania. But we are brought into dilemma by the probable equality of the two republican candidates. The federalists in Congress mean to take advantage of this, and either to prevent an election altogether, or reverse what has been understood to have been the wishes of the people, as to the President & Vice-president; wishes which the constitution did not permit them specially to designate. The latter alternative still gives us a republican administration. The former, a suspension of the federal government, for want of a head. This opens upon us an abyss, at which every sincere patriot must shudder. General Davie has arrived here with the treaty formed (under the name of a convention) with France. It is now before the Senate for ratification, and will encounter objections. He believes firmly that a continental peace in Europe will take place, and that England also may be comprehended.

Digitized by Google

TO JAMES MADISON. J. MSS.

WASHINGTON, Dec. 19, 1800.

DEAR SIR,—Mrs. Brown's departure for Virginia enables me to write confidentially what I could not have ventured by the post at this prying season. The election in S. Carolina has in some measure decided the great contest. Tho' as yet we do not know the actual votes of Tennessee, Kentucky, & Vermont, yet we believe the votes to be on the whole, J. 73, B. 73, A. 65, P. 64. Rhode isld withdrew one from P. There is a possibility that Tennessee may withdraw one from B., and Burr writes that there may be one vote in Vermont for J. But I hold the latter impossible, and the former not probable; and that there will be an absolute parity between the two republican candidates. This has produced great dismay and gloom on the republican gentlemen here, and equal exultation on the federalists, who openly declare they will prevent an election, and will name a President of the Senate, *pro tem.* by what they say would only be a *stretch* of the constitution. The prospect of preventing this, is as follows, G, N C, T, K, V, P, & N Y, can be counted on for their vote in the H of R, & it is thought by some that Baer of Maryland, & Linn of N J will come over. Some even count on Morris of Vermont. But you must know the uncertainty of such a dependence under the operation of caucuses and other federal engines. The month of February, therefore, will present us storms of a new character. Should they have a particular issue, I hope you will be here

Digitized by Google

a day or two, at least, before the 4th of March. I know that your appearance on the scene before the departure of Congress, would assuage the minority, and inspire in the majority confidence and joy unbounded, which they would spread far & wide on their journey home. Let me beseech you then to come with a view of staying perhaps a couple of weeks, within which time things might be put into such a train, as would permit us both to go home for a short time, for removal. I wrote to R. R. L. by a confidential hand three days ago. The person proposed for the T has not come yet.

Davie is here with the Convention, as it is called; but it is a real treaty, and without limitation of time. It has some disagreeable features, and will endanger the compromising us with G B. I am not at liberty to mention it's contents, but I believe it will meet with opposition from both sides of the house. It has been a bungling negotiation. Elsworth remains in France for the benefit of his health. He has resigned his office of C J. Putting these two things together, we cannot misconstrue his views. He must have had great confidence in Mr. A's continuance to risk such a certainty as he held. Jay was yesterday nominated Chief Justice. We were afraid of something worse. A scheme of government for the territory is cooking by a committee of each house, under separate authorities, but probably a voluntary harmony. They let out no hints. It is believed that the judiciary system will not be pushed, as the appointments, if made by the present administration,

Digitized by Google

could not fall on those who create them. But I very much fear the road system will be urged. The mines of Peru would not supply the monies which would be wasted on this object, nor the patience of any people stand the abuses which would be incontrolably committed under it. I propose, as soon as the state of the election is perfectly ascertained, to aim at a candid understanding with Mr. A. I do not expect that either his feelings or his views of interest will oppose it. I hope to induce in him dispositions liberal and accommodating. Accept my affectionate salutations.

TO CÆSAR RODNEY. J. MSS.

WASHINGTON Dec. 21. 1800.

DEAR SIR,—I received in due time your favor of Oct. 12. and, as it did not require a particular answer I have postponed the acknolegement of it to this time & place. It seems tolerable well ascertained (though not officially) that the two republican candidates on the late election have a decided majority. Probably of 73. to 65. but equally probable that they are even between themselves & that the Federalists are disposed to make the most of the embarrassment this occasions, by preventing any election by the H. of Representatives. It is far from certain that 9. representatives in that House can be got to vote for any candidate. What the issue of such a dilemma may be cannot be estimated. The French treaty is before the Senate. It is not agreeable in all its parts to anybody, but it is to be hoped it will be ratified with

Digitized by Google

a limitation of time which cannot produce difficulty with the other party. Congress seemed hardly disposed to do anything this session. The Judiciary bill, the territorial government, & the taking into their hands the making roads through the union are the subjects talked of. The last will be a bottomless abyss for money, the most fruitful field for [illegible] and the richest provision for jobs to favorites that has ever yet been proposed. We have been 12. years grasping at all the expenses of the union. A shorter time will suffice to restore them to whom they belong & who would manage them with so much more correctness & raise them in ways so much less burthensome to the people than we can. Foreign relations are our province: domestic regulations & institutions belong, in every state, to itself. I pray you to accept the assurances of my high regard & esteem, & to present my affectionate veneration to mr. Dickinson. Adieu.

TO JAMES MADISON. J. MSS.

[WASHINGTON,] Dec. 26, 1800.

DEAR SIR,—All the votes have now come in, except of Vermont & Kentuckey, and there is no doubt that the result is a perfect parity between the two republican characters. The Feds appear determined to prevent an election, & to pass a bill giving the government to Mr. Jay, appointed Chief Justice, or to Marshall as Secy of state. Yet I am rather of opinion that Maryland & Jersey will give the 7 republican majorities. The French treaty will be vio-

Digitized by Google

lently opposed by the Feds; the giving up the vessels is the article they cannot swallow. They have got their judiciary bill forwarded to commitment. I dread this above all the measures meditated, because appointments in the nature of freehold render it difficult to undo what is done. We expect a report for a territorial government which is to pay little respect to the rights of man.—Your's of the 20th came safely to hand. I am almost certain that you sent money by me to Lyon, which he sent to me for & received as soon as he heard I was arrived. As I was merely the bearer I did not take a receipt. I will inquire into it, and do what is necessary. No answer yet from R. R. L.

Cordial and affectionate salutations. Adieu.

TO TENCH COXE. J. MSS.

December 31, 1800.

I shall neither frank nor subscribe my letter, because I do not chuse to commit myself to the fidelity of the post-office. For the same reason, I have avoided putting pen to paper through the whole summer, except on mere business, because I knew it was a prying season. I received from time to time papers under your superscription, which shewed that our friends were not inattentive to the great operation which was agitating the nation. You are by this time apprised of the embarrassment produced by the equality of votes between the two republican candidates. The contrivance in the Constitution for mark-

Digitized by Google

ing the votes works badly, because it does not enounce precisely the true expression of the public will. We do not see what is to be the issue of the present difficulty. The federalists, among whom those of the republican section are not the strongest, propose to prevent an election in Congress, and to transfer the government by an act to the C. J. (Jay) or Secretary of State, or to let it devolve on the Pres *pro tem.* of the Senate, till next December, which gives them another year's predominance, and the chances of future events. The republicans propose to press forward to an election. If they fail in this, a concert between the two higher candidates may prevent the dissolution of the government and danger of anarchy, by an operation, bungling indeed & imperfect, but better than letting the Legislature take the nomination of the Executive entirely from the people. Excuse the infrequency of my acknowledgments of your kind attentions. The danger of interruption makes it prudent for me not to indulge my personal wishes in that way. I pray you to accept assurances of my great esteem.

SERVICES OF JEFFERSON.

[1800 ?]

I have sometimes asked myself whether my country is the better for my having lived at all? I do not know that it is. I have been the instrument of doing the following things; but they would have been done by others; some of them, perhaps, a little better.

The Rivanna had never been used for navigation; scarcely an empty canoe had ever passed down it. Soon after I came of age, I examined its obstructions, set on foot a subscription for remov-

Digitized by Google

ing them, got an Act of Assembly passed, and the thing effected, so as to be used completely and fully for carrying down all our produce.

The Declaration of Independence.

I proposed the demolition of the church establishment, and the freedom of religion. It could only be done by degrees; to wit, the Act of 1776, c. 2, exempted dissenters from contributions to the church, and left the church clergy to be supported by voluntary contributions of their own sect; was continued from year to year, and made perpetual 1779, c. 36. I prepared the act for religious freedom in 1777, as part of the revisal, which was not reported to the Assembly till 1779, and that particular law not passed till 1785, and then by the efforts of Mr. Madison.

The act putting an end to entails.

The act prohibiting the importation of slaves.

The act concerning citizens, and establishing the natural right of man to expatriate himself, at will.

The act changing the course of descents, and giving the inheritance to all the children, &c., equally, I drew as part of the revisal.

The act for apportioning crimes and punishments, part of the same work, I drew. When proposed to the legislature, by Mr. Madison, in 1785, it failed by a single vote. G. K. Taylor afterwards, in 1796, proposed the same subject; avoiding the adoption of any part of the diction of mine, the text of which had been studiously drawn in the technical terms of the law, so as to give no occasion for new questions by new expressions. When I drew mine, public labor was thought the best punishment to be substituted for death. But, while I was in France, I heard of a society in England, who had successfully introduced solitary confinement, and saw the drawing of a prison at Lyons, in France, formed on the idea of solitary confinement. And, being applied to by the Governor of Virginia for the plan of a Capitol and Prison, I sent him the Lyons plan, accompanying it with a drawing on a smaller scale, better adapted to our use. This was in June, 1786. Mr. Taylor very judiciously adopted this idea, (which had now been acted on in Philadelphia, probably from the English model) and substituted labor in confinement, to the public labor proposed by the Committee of revisal; which themselves would have done,

Digitized by Google

had they been to act on the subject again. The public mind was ripe for this in 1796, when Mr. Taylor proposed it, and ripened chiefly by the experiment in Philadelphia; whereas, in 1785, when it had been proposed to our assembly, they were not quite ripe for it.

In 1789 and 1790, I had a great number of olive plants, of the best kind, sent from Marseilles to Charleston, for South Carolina and Georgia. They were planted, and are flourishing; and, though not yet multiplied, they will be the germ of that cultivation in those States.

In 1790, I got a cask of heavy upland rice, from the river Denbigh, in Africa, about lat. 9° 30′ North, which I sent to Charleston, in hopes it might supersede the culture of the wet rice, which renders South Carolina and Georgia so pestilential through the summer. It was divided, and a part sent to Georgia. I know not whether it has been attended to in South Carolina; but it has spread in the upper parts of Georgia, so as to have become almost general, and is highly prized. Perhaps it may answer in Tennessee and Kentucky. The greatest service which can be rendered any country is, to add an useful plant to its culture; especially, a bread grain; next in value to bread is oil.

Whether the act for the more general diffusion of knowledge will ever be carried into complete effect, I know not. It was received by the legislature with great enthusiasm at first; and a small effort was made in 1796, by the act to establish public schools, to carry a part of it into effect, viz., that for the establishment of free English schools; but the option given to the courts has defeated the intention of the act.

TO MARY JEFFERSON EPPES.[1]

WASHINGTON, Jan 4th, 1801.

Your letter, my dear Maria, of Dec. 28, is just now received, and shall be immediately answered, as shall all others received from yourself or Mr. Eppes.

[1] From S. N. Randolph's *Domestic Life of Jefferson*, 271.

Digitized by Google

This will keep our accounts even, and show, by the comparative promptness of reply, which is most anxious to hear from the other. I wrote to Mr. Eppes, December 23d, but directed it to Petersburg; hereafter it shall be to City Point. I went yesterday to Mount Vernon, where Mrs. Washington and Mrs. Lewis asked very kindly after you. Mrs. Lewis looks thin, and thinks herself not healthy; but it seems to be more in opinion than any thing else. She has a child of very uncertain health.

The election is understood to stand 73, 73, 65, 64. The Federalists were confident, at first, they could debauch Col. B [urr]. from his good faith by offering him their vote to be President, and having seriously proposed it to him. His conduct has been honorable and decisive, and greatly embarrasses them. Time seems to familiarize them more and more to acquiescence, and to render it daily more probable they will yield to the known will of the people, and that some one State will join the eight already decided as to their vote. The victory of the Republicans in New Jersey, lately obtained by carrying their whole Congressional members on an election by general ticket, has had weight on their spirits.

Should I be destined to remain here, I shall count on meeting you and Mr. Eppes at Monticello the first week in April, where I shall not have above three weeks to stay. We shall then be able to consider how far it will be practicable to prevent this new destination from shortening the time of our being together, for be assured that no considerations in this

Digitized by Google

world would compensate to me a separation from yourself and your sister. But the distance is so moderate that I should hope a journey to this place would be scarcely more inconvenient than one to Monticello. But of this we will talk when we meet there, which will be to me a joyful moment. Remember me affectionately to Mr. Eppes, and accept yourself the effusion of my tenderest love. Adieu, my dearest Maria.

TO DR. HUGH WILLIAMSON. J. MSS.

WASHINGTON, Jan 10, 1801.

DEAR SIR,—I should sooner have acknoledged your favor of December 8th, but for a growing and pressing correspondence which I can scarcely manage. I was particularly happy to receive the diary of Quebec, as about the same time I happened to receive one from the Natchez, so as to be able to make a comparison of them. The result was a wonder that any human being should remain in a cold country who could find room in a warm one, should prefer $-32°$ to $-55°$. Harry Hill has told me that the temperature of Madeira is generally from 55° to 65°, it's extreme about 50° to 70°. If I ever change my climate for health, it should be for that Island. I do not know that the coincidence has ever been remarked between the new moon and greater degrees of cold, or the full moon and the lesser degrees; or that the reflected beams of the moon attemper the weather at all. On the contrary, I thing I have understood that the most powerful concave mirror presented to the

Digitized by Google

moon, and throwing its focus on the bulb of a thermometer, does not in the least affect it. I suppose the opinion to be universal that the turkey is a native of America. Nobody, as far as I know, has ever contradicted it but Daines Barrington; and the arguments he produces are such as none but a head, entangled & kinked as his is, would ever have urged. Before the discovery of America, no such bird is mentioned in a single author, all those quoted by Barrington, by description referring to the crane, hen, pheasant or peacock; but the book of every traveller, who came to America soon after it's discovery, is full of accounts of the turkey and it's abundance; and immediately after that discovery we find the turkey served up at the feasts of Europe, as their most extraordinary rarity. Mr. William Strickland, the eldest son of St. George Strickland, of York, in England, told me the anecdote. Some ancestor of his commanded a vessel in the navigations of Cabot. Having occasion to consult the Herald's office concerning his family, he found a petition from that ancestor to the crown, stating that Cabot's circumstances being slender, he had been rewarded by the bounties he needed from the crown; that as to himself, he asked nothing in that way, but that as a consideration for his services in the same way, he might be permitted to assume for the crest of his family arms, the turkey, an American bird; and Mr. Strickland observed that their crest is actually a turkey. You ask whether we may be quoted. It the first place, I now state the thing from memory, and may be inexact in some

Digitized by Google

small circumstances. Mr. Strickland too, stated it to me in a conversation, and not considering it of importance, might be inexact too. We should both dislike to be questioned before the public for any little inaccuracy of style or recollection. I think if you were to say that the Herald's office may be referred to in proof of the fact, it would be authority sufficient, without naming us. I have at home a note of Mr. Strickland's information, which I then committed to paper. My situation does not allow me to refresh my memory from this. I shall be glad to see your book make its appearance; and I am sure it will be well received by the Philosophical part of the world, for I still dare to use the word philosophy, notwithstanding the war waged against it by bigotry & despotism. Health, respect and friendly salutations.

TO WILLIAM DUNBAR. J.MSS.

WASHINGTON, Jan 12, 1801.

DEAR SIR,—Your favor of July 14, with the papers accompanying it, came safely to hand about the last of October. That containing remarks on the line of demarcation I perused according to your permission, and with great satisfaction, and then enclosed to a friend in Philadelphia, to be forwarded to it's address. The papers addressed to me, I took the liberty of communicating to the Philosophical society. That on the language by signs is quite new. Soon after receiving your meteorological diary, I received one of Quebec; and was struck with the comparison between

Digitized by Google

−32 & + 19¾ the lowest depression of the thermometer at Quebec & the Natchez. I have often wondered that any human being should live in a cold country who can find room in a warm one. I have no doubt but that cold is the source of more sufferance to all animal nature than hunger, thirst, sickness, & all the other pains of life & of death itself put together. I live in a temperate climate, and under circumstances which do not expose me often to cold. Yet when I recollect on one hand all the sufferings I have had from cold, & on the other all my other pains, the former preponderate greatly. What then must be the sum of that evil if we take in the vast proportion of men who are obliged to be out in all weather, by land & by sea, all the families of beasts, birds, reptiles, & even the vegetable kingdom! for that too has life, and where there is life there may be sensation. I remark a rainbow of a great portion of the circle observed by you when on the line of demarcation. I live in a situation which has given me an opportunity of seeing more than the semicircle often. I am on a hill 500 f. perpendicularly high. On the east side it breaks down abruptly to the base, where a river passes through. A rainbow, therefore, about sunset, plunges one of it's legs down to the river, 500 f. below the level of the eye on the top of the hill. I have twice seen bows formed by the moon. They were of the color of the common circle round the moon, and were very near, being within a few paces of me in both instances. I thank you for the little vocabularies of Bedais, Jankawis and Teghas. I

Digitized by Google

have it much at heart to make as extensive a collection as possible of the Indian tongues. I have at present about 30. tolerably full, among which the number radically different, is truly wonderful. It is curious to consider how such handfuls of men came by different languages, & how they have preserved them so distinct. I at first thought of reducing them all to one orthography, but I soon become sensible that this would occasion two sources of error instead of one. I therefore think it best to keep them in the form of orthography in which they were taken, only noting whether that were English, French, German, or what. I have never been a very punctual correspondent, and it is possible that new duties may make me less so. I hope I shall not on that account lose the benefit of your communications. Philosophical vedette at the distance of one thousand miles, and on the verge of the terra incognita of our continent, is precious to us here. I pray you to accept assurances of my high consideration & esteem, and friendly salutations.

TO COLONEL JOHN HOOMES. J. MSS.

WASHINGTON, Jan. 24, 1801.

DEAR SIR,—* * * There is no change in our prospects as to the election, the party opposed to the public sentiment, keeping their purposes very much to themselves. A vote passed the H. of R. yesterday for the continuance of the Sedition law. It was by the casting voice of the Speaker, and not in it's final stage. The Senate had annexed several modifications

Digitized by Google

to the Convention with France. Yesterday came on the final question, which being divided into as many parts as there were modifications, the whole of them were struck out except one limiting it's duration to 8. years. And on the question to ratify with this single modification it was rejected by 14. out of 30. votes. Tho', according to former usage this would close the proceedings, I am told there will be a proposition to ratify it without any modification, as being a question which has not yet been decided. It's success may be doubted. Some say the President will not on this rejection send back the treaty, but will call the new Senate to meet after the 3d of March and reconsider it. Of those who voted against it, 4. will then go out, and would leave them only 10. But we must have a Senate of 30. at least convened to overweigh them, which we can hardly count upon.

TO JAMES MADISON. J. MSS.

Feb. 1, 1801.

I have not written to you since the letter by Mrs. B. Yours of Jan. 10 is received, and your own wishes are entirely acquiesced in as to time. Clermont has refused.[1] I think to adopt your idea at Baltimore.[2] I dare not through the channel of the post hazard a word to you on the subject of the election. Indeed the interception and publication of my letters exposes the republican cause as well as myself personally to so much obloquy that I have come to a resolution never to write another sentence of politics in a letter.

[1] Robert R. Livingston. [2] Samuel Smith.

Digitized by Google

The enclosed came under a blank cover to me, and I broke it open and read it through. Until I was folding it up to put away, I did not discover your name on the back of it, and consequently that it was destined for you. I hope your health is getting better. I think nothing more possible than that a change of climate, even from a better to a worse, and a change in the habits and mode of life, might have a favorable effect on your system. I shall be happy to hear that your father is rallying. The approaching season will be favorable for that. Present my respectful attachments to Mrs. Madison & accept affectionate assurances of friendship to yourself. Adieu.

TO AARON BURR. J. MSS.

WASHINGTON, Feb. 1, 1801.

DEAR SIR,—It was to be expected that the enemy would endeavor to sow tares between us, that they might divide us and our friends. Every consideration satisfies me you will be on your guard against this, as I assure you I am strongly. I hear of one stratagem so imposing & so base that it is proper I should notice it to you. Mr. Munford, who is here, says he saw at N York before he left it, an original letter of mine to Judge Breckenridge, in which are sentiments highly injurious to you. He knows my hand writing, and did not doubt that to be genuine. I enclose you a copy taken from the press copy of the only letter I ever wrote to Judge Breckenridge in my

Digitized by Google

life: the press copy itself has been shown to several of our mutual friends here. Of consequence, the letter seen by Mr. Munford must be a forgery, and if it contains a sentiment unfriendly or disrespectful to you, I affirm it solemnly to be a forgery; as also if it varies from the copy enclosed. With the common trash of slander I should not think of troubling you; but the forgery of one's handwriting is too imposing to be neglected. A mutual knowledge of each other furnishes us with the best test of the contrivances which will be practised by the enemies of both.

TO THOMAS M'KEAN. J. MSS.

WASHINGTON, Feb. 2, 1801.

DEAR SIR,—I have long waited for an opportunity to acknoledge the receipt of your favor of Dec 15, as well as that by Doctr. Mendenhall. None occurring, I shall either deliver the present to Genl Muhlenburg or put it under cover to Doctr Wistar, to whom I happen to be writing, to be sent to your house in Philadelphia, or forwarded confidentially to Lancaster.

The event of the election is still *in dubio*. A strong portion in the House of Representatives will prevent an election if they can. I rather believe they will not be able to do it, as there are six individuals of moderate character, any one of whom coming over to the republican vote will make a ninth State. Till this is known, it is too soon for me to say what should be done in such atrocious cases as those you mention of

Digitized by Google

federal officers obstructing the operation of the State governments. One thing I will say, that as to the future, interferences with elections, whether of the State or General Government, by officers of the latter, should be deemed cause of removal; because the constitutional remedy by the elective principle becomes nothing, if it may be smothered by the enormous patronage of the General govmet. How far it may be practicable, prudent or proper, to look back, is too great a question to be decided but by the united wisdom of the whole administration when formed. Our situation is so different from yours, that it may render proper some differences in the practice. Your State is a single body, the majority clearly one way. Ours is of sixteen integral parts, some of them all one way, some all the other, some divided. Whatever may be decided as to the past, they shall give no trouble to the State governments in future, if it shall depend on me; and be assured, particularly as to yourself, that I should consider the most perfect harmony & interchange of accommodations & good offices with those governments as among the first objects.

TO TENCH COXE. J. MSS.

WASHINGTON, Feb. 11, 1801.

DEAR SIR,—Your favor of Jan 25 came to hand some days ago, and yesterday a gentleman put into my hand, at the door of the Senate chamber, the volume of the Amer. Museum for 1798. As no letter accompanied it, I took it for granted it was to bring

Digitized by Google

under my eye some of its contents. I have gone over it with satisfaction.

This is the morning of the election by the H of R. For some time past a single individual had declared he would by his vote make up the ninth State. On Saturday last he changed, and it stands at present 8. one way, 6. the other, & 2. divided. Which of the two will be elected, & whether either, I deem perfectly problematical: and my mind has long been equally made up for either of the three events. If I can find out the person who brought me the volume from you, I shall return it by him, because I presume it makes one of a set. If not by him, I will find some other person who may convey it to Philadelphia if not to Lancaster. Very possibly it may go by a different conveyance from this letter. Very probably you will learn before the receipt of either, the result, or progress at least, of the election. We see already at the threshold, that if it falls on me, I shall be embarrassed by finding the offices vacant, which cannot be even temporarily filled but with advice of Senate, and that body is called on the fourth of March, when it is impossible for the new members of Kentucky, Georgia and S. Carolina to receive notice in time to be here. The summons for Kentucky, dated, as all were, Jan 31, could not go hence till the 5th, & that for Georgia did not go till the 6th. If the difficulties of the election, therefore, are got over, there are more & more behind, until new elections shall have regenerated the constituted authorities. The defects of our Con-

Digitized by Google

stitution under circumstances like the present, appear very great. Accept assurances of the esteem and respect of, dear Sir, your most obedient servant.

TO DR. BENJAMIN SMITH BARTON.[1]

WASHINGTON, Feb. 14, 1801.

DEAR SIR,—Your favor of Jan. 18 is duly received. The subject of it did not need apology. On the contrary, should I be placed in office, nothing would be more desirable to me than the recommendations of those in whom I have confidence, of persons fit for office; for if the good withhold their testimony, we shall be at the mercy of the bad. If the question relative to Mr. Zantzinger had been merely that of remaining in office, your letter would have placed him on very safe ground. Besides that, no man who has conducted himself according to his duties would have anything to fear from me, as those who have done ill would have nothing to hope, be their political principles what they might. The obtaining an appointment presents more difficulties. The republicans have been excluded from all offices from the first origin of the division into Republican and Federalist. They have a reasonable claim to vacancies till they occupy their due share. My hope however is that the distinction will be soon lost, or at most that it will be only of republican & monarchist: that the body of the nation, even that part which French

[1] From the original in the possession of the Historical Society of Pennsylvania.

Digitized by Google

excesses forced over to the federal side, will rejoin the republicans, leaving only those who were pure monarchists, and who will be too few to form a sect. This is the fourth day of the ballot, and nothing done; nor do I see any reason to suppose the six and a half States here will be less firm, as they call it, than your 13. Senators; if so, and the government should expire on the 3d of March by the loss of it's head, there is no regular provision for reorganizing it, nor any authority but in the people themselves. They may authorize a convention to reorganize & even to amend the machine. There are 10. individuals in the H of R, any one of whom changing his vote may save us this troublesome operation. Be pleased to present my friendly respects to Mrs. Barton, Mrs. Sarjeant, and Mrs. Waters, and to accept yourself my affectionate salutations.

TO JAMES MONROE. J. MSS.

WASHINGTON, Feb 15, 1801.

DEAR SIR,—I have received several letters from you which have not been acknoledged. By the post I dare not, and one or two confidential opportunities have passed me by surprise. I have regretted it the less, because I know you could be more safely and fully informed by others. Mr. Tyler, the bearer of this, will give you a great deal more information personally than can be done by letter. Four days of balloting have produced not a single change of a vote. Yet it is confidently believed by most that to-morrow

Digitized by Google

there is to be a coalition. I know of no foundation for this belief. However, as Mr. Tyler waits the event of it, he will communicate it to you. If they could have been permitted to pass a law for putting the government into the hands of an officer, they would certainly have prevented an election. But we thought it best to declare openly and firmly, one & all, that the day such an act passed, the middle States would arm, & that no such usurpation, even for a single day, should be submitted to. This first shook them; and they were completely alarmed at the resource for which we declared, to wit, a convention to re-organize the government, & to amend it. The very word convention gives them the horrors, as in the present democratical spirit of America, they fear they should lose some of the favorite morsels of the constitution. Many attempts have been made to obtain terms & promises from me. I have declared to them unequivocally, that I would not receive the government on capitulation, that I would not go into it with my hands tied. Should they yield the election, I have reason to expect in the outset the greatest difficulties as to nominations. The late incumbents running away from their offices & leaving them vacant, will prevent my filling them without the *previous* advice of Senate. How this difficulty is to be got over I know not. Accept for Mrs. Monroe and yourself my affectionate salutations. Adieu.

Digitized by Google

TO ROBERT R. LIVINGSTON. J. MSS.

WASHINGTON, Feb. 16, 1801.

DEAR SIR.—Your favor of Jan. 7 came duly to hand. A part of it gave me that kind of concern which I fear I am destined often to meet. Men possessing minds of the first order, and who have had opportunities of being known & of acquiring the general confidence, do not abound in any country beyond the wants of the country. In your case however it is a subject of regret rather than of complaint, as you are in fact serving the public in a very important station.

It is some two or three or four years since I inquired of the members of the A. Phil. society whether you were a member. The answer was that they were pretty sure you were, & had been for a long time. After acquiescing awhile in that authority I expressed a wish to the secretaries that they would ascertain the fact, which they promised. My absence from Philadelphia prevented a repetition of the inquiry as often as I wished, and the members' names being to be sought through the whole minutes of our proceedings, obstructed the wish. At length I nominated you, and at the next election you were chosen a member. Whether you were one before you probably know: and if already of the elect, you are now doubly so. I inclose the diploma.

I have on several occasions been led to think on some means of uniting the state agricultural societies into a central society: and lately it has been pressed from England with a view to a cooperation with their

Digitized by Google

board of agriculture. You know some have proposed to Congress to incorporate such a society. I am against that, because I think Congress cannot find in all the enumerated powers any one which authorizes the act, much less the giving the public money to that use. I believe too if they had the power, it would soon be used for no other purpose than to buy with sinecures useful partisans. I believe it will thrive best if left to itself as the Philosophical societies are. There is certainly a much greater abundance of material for Agricultural societies than Philosophical. But what should be the plan of union? Would it do for the state societies to agree to meet in a central society by a special deputation of members? If this should present difficulties, might they not be lessened by their adopting into their society some one or more of their delegates in Congress or of the members of the Executive residing here, who assembling necessarily for other purposes, could occasionally meet on the business of their societies? Your Agricultural society standing undoubtedly on the highest ground might set the thing agoing by writing to such state societies as already exist, and these once meeting centrally might induce the other states to establish societies & thus compleat the institution. This is a mere idea of mine, not sufficiently considered or digested, & hazarded merely to set you to thinking on the subject, and propose something better or to improve this. Will you be so good as to consider it at your leisure, and give me your thoughts on the subject? Accept my affectionate salutations.

Digitized by Google

TO JAMES MADISON. J. MSS.

WASHINGTON, Feb 18, 1801.

DEAR SIR,—Notwithstanding the suspected infidelity of the post, I must hazard this communication. The minority in the H of R, after seeing the impossibility of electing B, the certainty that a legislative usurpation would be resisted by arms, and a recourse to a convention to re-organize and amend the government, held a consultation on this dilemma, whether it would be better for them to come over in a body and go with the tide of the times, or by a negative conduct suffer the election to be made by a bare majority, keeping their body entire & unbroken, to act in phalanx on such ground of opposition as circumstances shall offer; and I know their determination on this question only by their vote of yesterday. Morris of V withdrew, which made Lyon's vote that of his State. The Maryland federalists put in 4. blanks, which made the positive ticket of their colleagues the vote of the State. S Carolina & Delaware put in 6. blanks. So there were 10. States for one candidate, 4. for another, & 2. blanks. We consider this, therefore, as a declaration of war, on the part of this band. But their conduct appears to have brought over to us the whole body of the federalists, who, being alarmed with the danger of a dissolution of the government, had been made most anxiously to wish the very administration they had opposed, & to view it when obtained, as a child of their own. They [*illegible*] too their quondam leaders separated fairly from them, and themselves relegated

Digitized by Google

under other banners. Even Hamilton & Higginson have been partisans for us. This circumstance, with the unbounded confidence which will attach to the new ministry as soon as known, will start us on right ground. Mr. A. embarrasses us. He keeps the offices of State and War vacant, but has named Bayard M P to France, and has called an unorganized Senate to meet the fourth of March. As you do not like to be here on that day, I wish you would come within a day or two after. I think that between that & the middle of the month we can so far put things under way, as that we may go home to make arrangements for our final removal. Come to Conrad's, where I will bespeak lodgings for you. Yesterday Mr. A. nominated Bayard to be M P of the U S to the French republic; to-day, Theophilus Parsons, Atty Gen of the U S in the room of C. Lee, who, with Keith Taylor *cum multis aliis*, are appointed judges under the new system. H. G. Otis is nominated a district attorney. A vessel has been waiting for some time in readiness to carry the new minister to France. My affectionate salutations to Mrs. Madison & yourself. Adieu.

TO LIEUTENANT HENRY DEARBORN. J. MSS.

WASHINGTON, Feb. 18, 1801.

DEAR SIR,—The House of Representatives having yesterday concluded their choice of a person for the chair of the U S and willed me that office, it now becomes necessary to provide an administration com-

Digitized by Google

posed of persons whose qualifications and standing have possessed them of the public confidence, and whose wisdom may ensure to our fellow-citizens the advantages they sanguinely expect. On a review of the characters in the different States proper for the different departments, I have had no hesitation in considering you as the person to whom it would be most advantageous to the public to confide the Department of War. May I therefore hope, Sir, that you will give your country the aid of your talents as Secretary of War? The delay which has attended the election has very much abridged our time, and rendered the call more sudden and pressing than I could have wished. I am in hopes our administration may be assembled during the first week of March, except yourself, and that you can be with us in a few days after. Indeed it is probable we shall be but a few days together (perhaps to the middle of the month) to make some general & pressing arrangements, & then go home, for a short time, to make our final removal hither. I mention these circumstances that you may see the urgency of setting out for this place with the shortest delay possible, which may be the shorter as you can return again to your family, as we shall, to make your final arrangements for removal. I hope we shall not be disappointed in counting on your aid, and that you will favor us with an answer by return of post. Accept assurances of sincere esteem and high respect from, dear Sir, your most obedient, and most humble servant.

Digitized by Google

TO THOMAS MANN RANDOLPH. J. MSS.

WASHINGTON, Feb. 19, 1801.

After exactly a week's balloting there at length appeared 10. States for me, 4. for Burr, & 2. voted blanks. This was done without a single vote coming over. Morris of Vermont withdrew, so that Lyon's vote became that of the State. The 4. Maryland federalists put in blanks, so that the vote of the 4. Republicans became that of their State. Mr. Huger of Sh Carolina (who had constantly voted for me) withdrew by agreement, his colleagues agreeing in that case to put in blanks. Bayard, the sole member of Delaware, voted blank. They had before deliberated whether they would come over in a body, when they saw they could not force Burr on the republicans, or keep their body entire & unbroken to act in phalanx on such ground of opposition as they shall hereafter be able to conjure up. Their vote shewed what they had decided on, and is considered as a declaration of perpetual war; but their conduct has completely left them without support. Our information from all quarters is that the whole body of federalists concurred with the republicans in the last elections, & with equal anxiety. They had been made to interest themselves so warmly for the very choice, which while before the people they opposed, that when obtained it came as a thing of their own wishes, and they find themselves embodied with the republicans, & their quondam leaders separated from them, and I verily believe they will remain embodied with us, so that this conduct of the minority has done in

Digitized by Google

one week what very probably could hardly have been effected by years of mild and impartial administration. A letter from Mr. Eppes informs me that Maria is in a situation which induces them not to risk a journey to Monticello, so we shall not have the pleasure of meeting them here. I begin to hope I may be able to leave this place by the middle of March. My tenderest love to my ever dear Martha, and kisses to the little ones. Accept yourself sincere and affectionate salutation. Adieu.

TO THE SECRETARY OF THE TREASURY. J. MSS.
(SAMUEL DEXTER.)

WASHINGTON, Feb. 20, 1801.

DEAR SIR,—The liberality of the conversation you honored me with yesterday evening has given me great satisfaction, & demands my sincere thanks. It is certain that those of the Cabinet Council of the President should be of his bosom confidence. Our geographical position has been an impediment to that, while I can with candor declare that the imperfect opportunities I have had of acquaintance with you, have inspired an entire esteem for your character, and that you will carry with you that esteem and sincere wish to be useful to you. The accommodation you have been so kind as to offer as to the particular date of retiring from office, is thankfully accepted, and shall be the subject of a particular letter to you, as soon as circumstances shall enable me to speak with certainty. Iu the meantime accept assurances of my high respect & consideration.

TO THE SECRETARY OF THE NAVY. J. MSS.
(BENJAMIN STODDERT.)

WASHINGTON, Feb. 21, 1801.

SIR,—Your favor of the 18th did not get to my hand till yesterday. I thank you for the accommodation in point of time therein offered. Circumstances may render it a convenience; in which

Digitized by Google

case I will avail myself of it, without too far encroaching on your wishes. At this instant it is not in my power to say anything certain on the subject of time. The declarations of support to the administration of our government are such as were to be expected from your character and attachment to our Constitution. I wish support from no quarter longer than my object candidly scanned, shall merit it; & especially, not longer than I shall rigorously adhere to the Constitution. I am with respect, Sir your most obedient humble servant.

TO ROBERT R. LIVINGSTON. J. MSS.

WASHINGTON, Feb. 24, 1801.

DEAR SIR,—It has occurred to me that possibly you might be willing to undertake the mission as Minister Plenipotentiary to France. If so, I shall most gladly avail the public of your services in that office. Though I am sensible of the advantages derived from your talent to your particular State, yet I cannot suppress the desire of adding them to the mass to be employed on the broader scale of the nation at large. I will ask the favor of an immediate answer, that I may give in the nomination to the Senate, observing at the same time, that the period of your departure can't be settled until we get our administration together, and may perhaps be delayed till we receive the ratification of the Senate, which would probably be 4. months; consequently, the commission would not be made out before then. This will give you ample time to make your departure convenient. In hopes of hearing from you as speedily as you can form your resolution, and hoping it will be favorable, I tender you my respectful and affectionate salutations.

Digitized by Google

TO THOMAS LOMAX. J. MSS.

WASHINGTON, Feb. 25, 1801.

DEAR SIR,—Your favor of the 5th came to hand on the 20th, and I have but time to acknoledge it under the present pressure of business. I recognize in it those sentiments of virtue & patriotism which you have ever manifested. The suspension of public opinion from the 11th to the 17th, the alarm into which it threw all the patriotic part of the federalists, the danger of the dissolution of our Union, and unknown consequences of that, brought over the great body of them to wish with anxiety & solicitude for a choice to which they had before been strenuously opposed. In this state of mind they separated from their congressional leaders, and came over to us; and the manner in which the last ballot was given, has drawn a fixed line of separation between them and their leaders. When the election took effect, it was as the most desirable of events to them. This made it a thing of their choice, and finding themselves aggregated with us accordingly, they are in a state of mind to be consolidated with us, if no intemperate measures on our part revolt them again. I am persuaded that weeks of ill-judged conduct here, has strengthened us more than years of prudent and conciliatory administration could have done. If we can once more get social intercourse restored to it's pristine harmony, I shall believe we have not lived in vain; and that it may, by rallying them to true republican principles, which few of them had thrown off, I sanguinely hope. Accept assurances of the high esteem & respect of, dear Sir, your friend and servant.

Digitized by Google

SPEECH TO THE SENATE.

J. MSS.

[Feb. 28, 1801.]

GENTLEMEN OF THE SENATE:

To give the usual opportunity of appointing a President pro tempore I now propose to retire from the chair of the Senate; and as the time is near at hand, when the relations will cease which have for some time subsisted between this honorable house & myself, I beg leave, before I withdraw, to return them my grateful thanks for all the instances of attention & respect with which they have been pleased to honor me. In the discharge of my functions here, it has been my conscientious endeavor to observe impartial justice, without regard to persons or subjects: & if I have failed in impressing this on the mind of the Senate, it will be to me a circumstance of the deepest regret. I may have erred at times. No doubt I have erred. This is the law of human nature. For honest errors, however, indulgence may be hoped. I owe to truth & justice at the same time to declare that the habits of order and decorum, which so strongly characterize the proceedings of the Senate, have rendered the umpirage of their President an office of little difficulty; that in times & on questions which have severely tried the sensibilities of the House, calm & temperate discussion has rarely been disturbed by departures from order.

Should the support which I have received from the Senate, in the performance of my duties here, attend me into the new station to which the public will has transferred me, I shall consider it as commencing under the happiest auspices.

With these expressions of my dutiful regard to the Senate as a body, I ask leave to mingle my particular wishes for the health & happiness of the individuals who compose it, and to tender them my cordial and respectful adieux.

END OF VOLUME VII.

Digitized by Google

Digitized by Google

Digitized by Google

Digitized by Google

Digitized by Google

Digitized by Google

3 2044 009 864 778

WIDENER LIBRARY
Harvard College, Cambridge, MA 02138: (617) 495-2413

If the item is recalled, the borrower will be notified
the need for an earlier return. (Non-receipt of over
notices does not exempt the borrower from overdue f

WIDENER
JAN 08 2007
NOV 29 2006
CAN

Thank you for helping us to preserve our collection!

Digitized by Google

Digitized by Google